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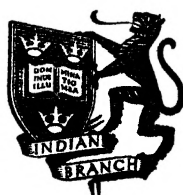
SOCIOLOGY SERIES, NO. 4

General Editor—G. S. GHURYE

FAMILY AND KIN
in Indo-European
Culture

G. S. GHURYE

*Professor & Head of the Department of Sociology
University of Bombay*



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PREFACE

Family and kin have excited the interest of students of civilization for nearly a century in the modern period. The intrinsic appeal of the study of kinship pattern and familial organization is wider still. India with a very long and continuous social history has a distinct contribution to make to this study. Sir Henry Sumner Maine used some of the Indian material in his study of family in its comparative aspect. The integration of the data from the social histories of other peoples of Indo-European speech has also been appreciated. First, de Coulanges and Hearn and later Rivers and Sir Paul Vinogradoff made use of it: Rivers on the aspect of kin terminology and the others on the familial organization of the Indo-European peoples.

In *Family and Kin* I have attempted to use both the terminological and the behavioural data about kin among many of the peoples of Indo-European speech in order to focus them on the elucidation of the history of the institution of family. Incidentally I had to take stock of some aspects of Engel's contention about the origin and development of the family. What was conceived and executed as an academic study of a major institution in its historical aspect in the most predominant culture of today has turned out to have a topical interest.

I am thankful to Drs L. N. Chapekar and M. S. A. Rao for help in the preparation of the manuscript, and the latter and Mr M. G. Kulkarni for the index.

G.S.G.

Department of Sociology
19th August 1955

CHAPTER I

NOMENCLATURE OF KIN

KINSHIP terminology may be studied to throw light on kinship organization among the different Indo-European peoples. Once, in the very early history of the study of kinship terminology, it was thought that kinship terms were mere linguistic appanages without any social significance. As opposed to this view it was contended not only that they had social significance but even that they were rigidly conditioned by social facts of customs, manners and organization. That kinship terms are of the nature of stereotypes with a specific connotation of emotional content can hardly be doubted. How far they can be taken to reflect social facts must depend on their historical setting among the people concerned.

Studying a very large number of kinship terminologies current in different parts of the world, Morgan¹ classified them into two large divisions. Kinship terminologies, which used the terms for husband-wife, father-mother, son-daughter, and brother-sister, also for other persons who did not bear this actual relationship, were designated classificatory kinship terminologies. They treated a number of distinct relationships as a class and designated the appropriate relatives by one term. The terminologies of kinship wherein these primary relatives were designated by specific terms, their use not being extended to denote other relatives too, were grouped together as descriptive. Later writers rightly criticized Morgan on more counts than one.

We shall here refer only to that feature which goes against the logical principles of classification and nomenclature. The kinship terminologies which use specific terms to denote the relatives, husband, wife, father, mother, son, daughter, brother and sister do not describe the relationship in these terms. Every one of these terms is specific and not applicable to other than the particular relative. Thus the terms are non-classificatory, but are not necessarily descriptive. Morgan himself in the body of his great work uses another expression, namely, individualizing, while describing some of them. It would have been in the fitness of things if he had used the

word 'individualizing' to designate his division of non-classificatory terminologies.

Rivers,² who contended that kinship terminologies were conditioned by the social facts of customs and organization, expanded Morgan's scheme of two divisions into one of three. In doing so he retained Morgan's nomenclature of descriptive and classificatory. Within the descriptive division, however, he saw need to recognize a further division of kinship terminologies which he called denotative. For illustrative and analytical purposes he considered the terms for father's brother, mother's brother, father's brother's children and mother's brother's children. He explained that whereas in classificatory kinship terminologies, the term for father is used to designate both father's brother and mother's brother or one of them, and the term for brother to designate their son, in the descriptive terminology, for example the Arabic one, there is one term for father, another for father's brother and still another for mother's brother; and two terms, separate from that for the brother, to designate their sons. Further he found that the Arabic terms for the father's brother's son and mother's brother's son are the Arabic equivalents of son of father's brother and son of mother's brother. So the Arabic terms for father's brother's son and mother's brother's son are purely descriptive of the relatives, they being designated as sons of their fathers. He pointed out that there are kinship terminologies like the English one, included by Morgan under his division of descriptive kinship terminologies, which, though they have a term to designate father's brother and mother's brother quite distinct from that for father, it is one for the two relatives, uncle denoting both father's brother and mother's brother. Such terminologies have a term, cousin, separate from one for the brother, to designate both the father's brother's son and the mother's brother's son. This grouping together of two relatives under one term in each case appears to be classification of relatives no doubt, but Rivers contended that it was of a different order. According to him tenuousness or indistinctness of social functions of the two relatives, father's brother and mother's brother, on the one hand and father's brother's son and mother's brother's son on the other must have led to their not being distinguished in terminology. He looked upon that feature as one conditioned by the family

organization of the English people. He, therefore, proposed to designate the English kinship terminology the denotative one. The kinship terms uncle, aunt, nephew, niece and cousin are all denotative terms, denoting a certain specific degree of relationship on the background of a particular generation of the speaker relative to that of the relative designated.

Rivers, thus, made a threefold division of kinship terminologies: classificatory, descriptive and denotative. He further pointed out that each of the three is associated with a particular social organization: the denotative with the family, the descriptive with the kindred and the classificatory with the clan. Lowie in his criticism of the nomenclature of classification of kinship terminologies, asking his readers 'to reject any social determinant of a nomenclatorial trait unless it is reported as extant in the tribe or at least in the general area in question', admits without prejudice to other functional relations, a high correlation between a clan organization and the bifurcate merging type of kin terminology, and points out that clanless tribes like the Andamanese and the Hawaiians have no terminologies of that type.³

Lowie and Kirchhoff,⁴ not satisfied with this classification of kinship terminologies, put forward a fourfold division. They, too, however, based their conclusions on terms for three relatives, namely father, father's brother and mother's brother. Lowie in his earlier writing named the four divisions made according to 'logical possibilities' as (i) generation, (ii) bifurcate merging, (iii) bifurcate collateral and (iv) lineal.

Kinship terminologies in which 'collateral lines are wholly merged in the lineal within a particular generation' form the division called generation system. It should be noted that Lowie's stress is on the collateral lines and their merging or otherwise with the lineal relative, father. With this stress, naturally, the next division of kinship terminologies is one in which the two collateral lines are bifurcated and the representative relatives, namely father's brother and mother's brother are differentially treated. The father's brother is grouped with the father, and the mother's brother is given a separate term. Because these terminologies bifurcate the collateral lines and merge one of them with the lineal line, they are called bifurcate merging.

Logically, collateral lines can be bifurcated without any of them being further differentially treated by merging with the lineal line. Those terminologies which bifurcate the collateral lines and treat them as collaterals without merging with the lineal, are named bifurcate collateral. In such terminologies there are three distinct terms for the three relatives, father, father's brother and mother's brother. The fourth logical possibility, according to Lowie, is that the 'collateral lines are distinguished from the lineal, but *not from each other*'. Systems of kinship terminologies which have one term for father, and quite another for the two collateral relatives, father's brother and mother's brother do this and are termed lineal by Lowie.

It will be seen that in naming the last division lineal, Lowie has shifted the stress from the collaterals, with which he started his nomenclature, to the lineal line. Because the lineal line is made distinct in this terminology it is designated lineal. If he had followed his original criteria, I think, he would have had to name the division simply collateral. The distinguishing feature of such terminologies, on the background of stress on the treatment of collateral lines, is that the collateral lines are neither bifurcated nor merged with the lineal line. If in the procedure the lineal line gets distinguished from the collateral ones, the collaterals too are grouped together and distinguished from the lineal. Further, the appropriateness of the term to designate the third division of kinship terminologies is open to question. It is the collaterals that have bifurcated; and if neither of the two is further merged with the lineal, how does this non-merging become collateral? The name of the division as opposed to bifurcate merging, which is the name for the division of kinship terminologies which bifurcate the collateral lines and merge one of them with the lineal, should have been either bifurcate non-merging or simply bifurcate.

G. P. Murdock has tried to state the case of this nomenclature of fourfold division of kinship terminology more elaborately and presumably in a more logical manner.⁵ He states that the classification 'is based upon the four possible permutations in the application of the inherent distinctions of collaterality and bifurcation'. As Murdock gives preference to collaterality over bifurcation – and it is natural and logical, because bifurcation means division among collaterals – we shall start with it. Collaterality may be recognized or may not

be recognized. If collaterality is recognized, bifurcation may further be or be not recognized. If collaterality is not recognized, it may be either completely or partially not recognized. When collaterality is completely not recognized, there is no question of bifurcation, it being automatically not recognized. This can only be achieved by merging the two collaterals with the lineal. In strict logic, kinship terminologies which do this should be designated merging, but in the scheme they are named generation systems. After merging the collaterals with the lineal these terminologies have one term for persons of the same generation and that is the reason for their being designated generation systems. Partial recognition of collaterality can be achieved by merging one collateral with the lineal and bifurcating the other. Strictly speaking such kinship terminologies ought to be named merging bifurcate and not bifurcate merging because merging of a collateral with the lineal automatically leads to the bifurcation of collaterals. If collaterality is recognized, it can be achieved either without or with bifurcation of the collaterals. Recognition of collaterality without bifurcation of collaterals gives two terms, one for the father, the lineal, and the other for the two collateral relatives. Such terminologies in strict reasoning ought to be named collateral systems and not lineal, because the principle under consideration is whether collaterality is being recognized or not. Yet they are termed lineal, because Lowie and others who revised this fourfold classification had at the back of their minds the significance of keeping the lineal line distinct from collateral lines. Combined recognition of collaterality and bifurcation gives three terms for the three relatives. The terminologies that achieve this ought to be styled collateral bifurcate, and not bifurcate collateral, recognition of collaterality being the first principle under consideration.

It seems that Kirchhoff⁶ used only letters for his fourfold scheme and did not name them as Lowie did. It is significant to note that Kirchhoff's type A is Lowie's bifurcate collateral which stands third in his scheme. Kirchhoff starts with those terminologies which have three different terms for the three relatives, father, father's brother and mother's brother. His type B is the lineal of others, standing fourth in Lowie's scheme. In these terminologies, as we know, the lineal relative is separated but the collaterals are grouped together. As Kirchhoff

has begun his fourfold scheme with those terminologies which keep the lineal and the two collateral relatives separate and distinct from one another, when he exhausts the terminologies that manage to keep the lineal relative distinct from the collaterals, he begins with those terminologies that do not keep the lineal relative distinct from the collaterals. Type C of Kirchhoff, therefore, is the generation system of others, which tops the list in Lowie's scheme. Kirchhoff's type D is only a variety of a system not keeping the lineal distinct from the collaterals, the father's brother being classed with the father. This is the bifurcate merging system of others and stands second in Lowie's scheme. We thus see that Kirchhoff, laying the stress on distinctness or non-distinctness of the lineal, has not only seen good reason not to name the kinship terminologies but also has arrived at a different order which is fairly logical in its setting. It is not known why in his later work, Lowie did not persist in using his own nomenclature of kinship terminologies. Maybe he recognized, partially at least, its illogicality!

Apart from this defect in the fourfold classification, as is evident in the detailed treatment of both the Australian and the North-American terminologies which Lowie⁷ has given, there are discrepancies which require a very careful balancing of different features within a particular kinship terminology in order to name it according to Lowie's scheme. The bifurcate merging system in Lowie's nomenclature is by far the most widely spread of the four systems. It is almost the sole system in Australia. The most characteristic feature of the major Australian kinship terminologies, as long ago pointed out by A. Radcliffe Brown,⁸ is that they distinguish in the ascendant generation father's father from mother's father. That there are no terms for affines in Australian terminologies is a feature that may specifically be explained in relation to their marriage system. Similarly, perhaps, terminological reciprocity between alternate generations may be associated with the Australian marriage-class systems.

It is seen from the data about aunt-terms and cousin-terms, i.e. the terms for the children of aunts presented by Murdock (Tables 61-71), that the two sets of terms do not fully harmonize. Of the 45 societies which have only one term for mother, mother's sister and father's sister and are thus generation

systems, only 40 per cent have one term for sister, mother's sister's daughter and father's sister's daughter. On the other hand, of the 96 societies which use three terms for mother and the two aunts, i.e. bifurcate collateral systems, 22.9 per cent have only one term to denote their daughters. Lowie evidently realized many of these defects of his and Kirchhoff's classification of kinship terminologies, for, writing in 1950, he became almost apologetic about it. He says, 'the above scheme ignores sporadic inconsistencies such as adherence to one type in a higher generation, and to another in a lower, as well as certain forms in which there is partial merging of generations. However, it serves for initial orientation.'⁹ We are doubtful if this orientation serves any useful purpose. It is a classification for the mere sake of classification.

The chief defect of this fourfold division of kinship terminologies lies in the fact that it is not based on the primacy of the nuclear family. It is now generally accepted that the nuclear family is not only a fact of primary significance but also of pristine existence. The principal members of this primary group are the nucleus from which an individual's relationships emanate. How they are treated in kinship nomenclature is, therefore, the most significant fact. If the terms used to designate these primary relatives without any further modification or elaboration can be and are applied to denote others who are outside this primary group, it is quite clear that the emotional pattern and behavioural set-up associated with them is not entirely restricted to the members of the primary group. To some extent, at least, persons outside that group will be receiving treatment more or less like that accorded to the members of the primary group. Following Morgan's suggestion, one may call a kinship terminology that has specific terms for the primary relatives and that does not use them in respect of other persons an individualizing terminology. The primary relatives in this system, being designated by specific and separate terms, are individualized.

Those kinship terminologies which use all or many of the terms for husband, wife, father, mother, son, daughter, brother and sister, also for other persons who do not stand in these definite relationships, may be said to be treating these primary relatives as only one specimen of a whole class or classes or of a group or groups. They may, therefore, be appropriately

designated classificatory kinship terminologies. All Morgan's descriptive systems are individualizing. All his classificatory systems are classificatory. It is possible to distinguish sub-varieties under each head and thus to make an elaborate classification of kinship terminologies more meaningful.

As we are concerned only with Indo-European kinship terminologies, which are all essentially individualizing systems, we shall here deal only with the sub-varieties of the individualizing systems. Persons may be related by blood or by marriage-tie. The former are consanguineal and the latter affinal relatives. In both types one can distinguish between primary and others, whose relationship is derived through the primary relatives. They may be secondary, tertiary, etc. according to the number and nature of relatives through whom they are related. Outside the primary relatives of the nuclear family mentioned above, there are among the consanguineal circle two kinds of relatives, whether secondary, tertiary or quaternary. They are the lineals and the collaterals.

Among the lineals we may start with the ascendants. The first ascendant of the father of the nuclear family is the grandfather of the son. From the Appendix at the end of this book, Kinship Terms, which lists all the known terms of kinship current in most of the sub-families of the Indo-European family of languages, it can be seen that in regard to the designation of grandfather, they divide themselves into two groups. Sanskrit and Sanskrit-derived Indian languages, Ancient Greek, and Irish have separate terms for father's father and mother's father. Others record only one term for both relatives. Sanskrit, Ancient Greek and Irish use terms for these relatives which are clearly derivatives from the words for father and mother respectively. The other languages, Latin, Balto-Slavic and Old Norse, which have only one term for both the relatives of the first ascendant generation, have an independent term not derivable from the term for father. The case of the Anglo-Saxon term for grandfather is slightly peculiar. *Ealda faeder*, 'old father' (?), of course, is not an independent term, nor can it necessarily be said to be a term only based on the term for father. In the second descendant generation, that is, in the generation of the grandson, a distinct term common to almost all the Indo-European languages existed. In the ancient languages only the

Old Greek and the Old Irish languages departed from the norm. The Old Greek when it did not use distinctive terms for the son's son and the daughter's son, based on the terms for the son and the daughter, used a term which cannot be traced to the common base that gives us Sanskrit *nāpat* and Latin *nepos*. Old Irish had a term which does not fit in, but Cornish *noi* is clearly to be traced to the common base. As Old Greek distinguished between son's son and daughter's son, so did the Sanskrit and Hindi, Gujarati, Sindhi and Panjabi languages.

From the foregoing statement it is clear that one can designate as descriptive only the Sanskrit and Old Greek kinship terminologies. But even they, particularly in the descendant generation, show definite inclination towards what may be called the denotative system. In order to decide between the two designations if possible, let us pass under review some of the terms for collateral relatives.

One's first collateral on the father's side is father's brother. Sanskrit, Old Greek and Latin have a term for this relative which is clearly derived from the term for the father. Similarly do the Old High German and Anglo-Saxon terminologies. The treatment of this relative in the Celtic languages is not clear to us. The Balto-Slavic languages and most of the Indo-Aryan languages have terms for this relative which bespeak children's affectionate babbling more than formal denotative expressions. In the matter of naming father's sister, Sanskrit and Old Greek go together in having descriptively derivative terms. Latin, the Balto-Slavic languages and some of the Indo-Aryan languages have purely denotative terms which enshrine some tender feeling. The case of the Teutonic languages is rather peculiar. Whereas Old High German had a distinct term, Anglo-Saxon had one which was based on the term for father.

The first collateral on the mother's side, the mother's brother, is more or less, differentially treated like the father's sister. Whereas Sanskrit and Old Greek show a term based on the term for mother, Latin and the Balto-Slavic languages and perhaps Old High German and Anglo-Saxon, too, show terms which have to be derived from an Indo-European base that gives the Latin word for grandfather, *avus*. In the treatment of the mother's sister, Old Greek falls apart from Sanskrit, which, along with Latin, Scandinavian, Old High German and

Anglo-Saxon has a term which is descriptive and is derived from the term for mother. Old Greek and the Balto-Slavic languages have terms which are derived from a *ta* basis, which can also be traced in the Italian, Portuguese, French and Spanish languages.

Other first-degree collaterals are formed by brother's and sister's children. The term for brother's child in Sanskrit, Avesta, Old Greek, Latin, Lithuanian and some Slav languages is, in a straightforward manner, derived from the term for the brother. Old Norse, Old High German and Anglo-Saxon have a general term which is the same as for grandson. It must be pointed out that in Latin, too, *nepos* alternatively denoted a brother's son. And the French and Italian languages follow that practice. As regards sister's child Sanskrit and the Sanskrit-derived Indian languages, Old Greek, Latin, the Balto-Slavic and the Scandinavian languages have a derivative descriptive term as in the case of brother's child. The only difference worth mentioning is that not only Latin as in the former case but also Old Greek has a general denotative term, *anepsios*, which later was used to designate the brother's child as well, and thus was the equivalent of the English classificatory term nephew. Anglo-Saxon had, along with the classificatory *nepha* for this relative, another special term, *geswiria*.

On a balancing of considerations the kinship terminologies of Sanskrit, Latin, Balto-Slavic and the Sanskrit-inspired Indian languages may best be designated, within the individualizing systems, as denotative. The secondary relatives, lineal and collateral, are very commonly designated in these individualizing denotative systems, with the help of terms which are mostly specific and distinctive for every relative, and are almost always derivative and sometimes descriptive. The Sanskrit terminology appears to be the most descriptive amongst them and one is almost tempted to separate it from the other Indo-European kinship terminologies and to recognize it as a distinct variety to be named individualizing descriptive. But we must avoid the temptation in view of our knowledge of its nature and history. We possess only the official denotative terms for various relatives. One almost feels certain that for a relative like mother's sister, and for the matter of that even for father's brother, there must have been some alternative terms, less formal than those that are

listed. And even as it is, the terms for father's brother and mother's brother are far from being descriptive.

While the general description of the individualizing denotative system of kinship terminologies is fairly well answered by Old Greek, it must be pointed out that its terminology tended much more towards what one may call the individualizing classificatory system of terminology than that of almost any other Old Indo-European language. This feature, if it can be substantiated, harmonizes well with the history of family and kin organization which we have presented in a later chapter. In substantiation of this opinion may be cited the fact that the alternative term for father's brother in Old Greek was *nennos*, which also served as an alternative designation for mother's brother. The alternative term for father's sister, namely *nenna*, is not merely a feminine form of *nennos* but is also an alternative designation of mother's sister. We have already commented on the use of the alternative term for sister's son, *anepsios*, and its tendency to be used also for brother's son. We may further draw the reader's attention to the use of the same term for four different tertiary relatives, namely, father's brother's son, father's sister's son, mother's brother's son, mother's sister's son. Latin, in the matter of the use of the term *nepos*, which is an alternative term for sister's and brother's son, is, in a way, not so classificatory. *Nepos*, which designates primarily grandson, is not used to designate any of the tertiary collaterals.

The Balto-Slavic languages in their terminology for the lineal secondaries are purely denotative; but in their terms for collaterals through the parents, they are more classificatory than otherwise. The terms for brother's child and sister's child are even more classificatory. Not only is *neti*, which is evidently derived from the base of Sanskrit *napat*, the alternative term for brother's son in Slovakian and in Polish, but is also the same as for sister's son and evidently derivative from the term for sister. In Russian there is only one term for both these relatives. We shall presently see that in regard to the second degree collateral relatives, father's brother's son, father's sister's son, also, there is one single term, which more or less does service for all. And whatever the term used, there is something in it to signify them as brothers. As we shall see, in the Indo-Aryan languages, too, these relatives are called

brothers but with the qualification of their parental affiliation prefixed. On the whole, therefore, Balto-Slavic kinship terminologies must be declared to be individualizing classificatory.

The kinship terminologies of the Sanskrit-derived Indo-Aryan languages approximate more to those of Sanskrit and Latin than to those of the Balto-Slavic languages. As for the lineal ascendants, though almost all of them terminologically distinguish between father's father and mother's father, yet the terms are purely denotative and not derived from the Sanskrit terms for these relatives. And at least three of them, namely Bengali, Marathi and Uriya, have only one term to designate son's son and daughter's son—a term which is directly derived from the Sanskrit *napat*. Collaterals are strictly separated but those on the father's side do not have terms derived from or based on the term for father. Of the collaterals on the mother's side, mother's sister is designated by a term whose derivative and descriptive nature can be discerned. Not so easy is the case with the term for mother's brother. One's first degree collaterals in the descendant generation, brother's son and sister's son, get terms which can be easily ascertained to be both derivative and descriptive. And what is more, they are not used for any other relative. On the whole, therefore, these terminologies are more denotative than derivative descriptive.

Of the Gothonic kinship terminologies we shall consider here only the Anglo-Saxon, because we know so well the later form of this kinship terminology, namely English. It is seen that in the ascendant and descendant generations, the terms are derivatives of the terms for the respective relatives. In the descendant generation, however, there is an alternative term which is classificatory. The two collaterals on the father's side are designated by terms based on that for father. The term for mother's sister is clearly derivable from that for mother, but that for mother's brother, being derived from an Indo-European base, must be considered, in the present state of our knowledge, as denotative. Brother's son and sister's son, one's first degree collaterals, however, are designated by a classificatory term, which denotes not only brother's son and sister's son but also grandson. Even the alternative term for sister's son is classificatory, being

used to designate one's secondary collaterals through the father and the mother, that is, father's brother's son, father's sister's son, mother's brother's son, mother's sister's son. Anglo-Saxon kinship terminology, therefore, belongs, as stated above, to the individualizing classificatory system. It is possible that the classificatory term *geswiria* was originally not meant to designate even alternatively one's sister's son. Even if this should prove to be the case, it would not militate against Anglo-Saxon terminology being assigned to the individualizing classificatory group. It will only prove that its classificatory nature was more like that of the English kinship system. The English kinship system does not possess any term which classifies relatives of two consecutive generations together. Anglo-Saxon, on the other hand, as listed in the Appendix, has two terms, *nepha* and *geswiria*, each of which groups together two consecutive generations. If the term *geswiria* can be proved not to have been used to designate sister's son, then there would remain only one term, *nepha*, grouping together relatives of two consecutive generations.

Here we should like to enter into a little digression calculated to support the scheme of classifying kinship terminologies, and deal with Arabic kinship terminology for illustration. Arabic, according to Morgan's¹⁰ list, designates husband, wife, father, mother, son, daughter, brother and sister by the terms *zaji*, *amrati*, *abi*, *ummi*, *ibni*, *ibneti*, *akhi* and *akhti* respectively. It is seen that in the case of the two primary relationships of the child and of the sibling, the female relatives are designated by terms which are manifestly feminine forms of the terms for the male relatives. No language of the Indo-European group manages the nomenclature of siblings in this manner. As for the lineal ascendants, there is a separate word for the grandfather, *jiddi*; but his father is descriptively designated as *jidd abi*. In the descendant generation even the first lineal is only descriptively designated as *ibn ibni* and *ibn ibneti*, 'son of my son' and 'son of my daughter', respectively. In the collateral line, father's brother is *ammi*; and the feminine form of the latter word, *ammeti*, designates father's sister. Mother's brother is *khali* and mother's sister is logically *khaleti*. Ego's primary collaterals, namely, brother's son and sister's son, are designated in a straightforwardly descriptive manner as *ibn akhi* and *ibn akhti*. Ego's secondary collaterals,

namely, father's brother's son, father's sister's son, mother's brother's son and mother's sister's son, are again descriptively designated as *ibn ammi*, *ibn ammeti*, *ibn khali* and *ibn khaleti*. We see that of the eight secondary relatives and the four tertiary ones which include one's lineal ascendants and lineal descendants of the first degree, one's collaterals through one's parents and through oneself in the first degree, and through one's parents in the second degree, only three have distinct, specific and non-derived terms. The rest receive purely derivative or descriptive derivative designations. Of the terms for the primary relatives, none is applied to designate any other relative. Truly may the Arabic kinship terminology be named an individualizing descriptive terminology.

In the classification of kinship terminologies the terms for affineal relatives have never been taken into account. It was quite natural for Lowie and others to do so as they were concerned with kinship terminologies of primitive peoples many of whom have no terms for such relationships. Be it said to the credit of Morgan that his great work is entitled *Systems of Human Consanguinity and Affinity*. However, neither his collection of terms for affineal relatives nor his appreciation that 'the conditions of society may have some influence in determining the system of relationship'¹¹ induced him to treat those terms at any length. The only brief treatment that he has given is in respect of the affineal relationships in Latin. He observes:¹² 'The Latin nomenclature of the marriage relationships, unlike our own, which is both rude and barren, was copious and expressive. For the principal affinities special terms were invented, after this language became distinct, and it contributed materially to the perfection of the system. It contains even more radical terms for the marriage relationships than that of blood.'¹³ Our English system betrays its poverty by the use of such unseemly phrases as father-in-law, son-in-law, brother-in-law, stepfather, and stepson, to express some twenty very common and very near relationships, nearly all of which are provided with special terms in Latin nomenclature. On the other hand, the latter fails to extend to the wives of uncles and nephews, and to the husbands of aunts and nieces the corresponding designations, which the principal European nations have done. The absence of terms for these relatives is the only blemish upon the Latin system. The wife of the paternal uncle, for example, was

described as *patrui uxor*, and the husband of the paternal aunt as *amitae vir*. A reason against the use of the principal terms existed in their fixed signification, which would render their use in the English manner a misnomer.' Unfortunately, with his reliance on Latin and in spite of his appreciation of the differential treatment of the affineal relatives in Indo-European terminologies, he missed their significance for further classification. He looked upon those terms only as material for 'comparisons as vocables'.¹⁴ While commenting on Semitic kinship terminologies he very nearly discovered the significance and use of these terms for further analysis of kinship terminologies. For he observes:¹⁵ 'Terms for the marriage relationships are less numerous in the Semitic than in the Aryan language. From their limited number and the manner of their use they are of but little importance as a part of the general system of relationship, except for comparison as vocables. In the systems of the Turanian and American Indian families they enter more essentially into their framework, and are of much greater significance from the manner of their use.' Commenting on the Finnish data comprised within his Uralian family he notes that 'the marriage relationships are quite fully discriminated. Its nomenclature, therefore, is nearly equal to the Roman. Fullness in the discrimination in the marriage relationships is also a characteristic of the Turanian system.'¹⁶

Morgan's Turanian family consists of the Chinese, the Dravidian and what we now call the Indo-Aryan languages. The Chinese terminology, which is very rich in affineal terms and appears to be very much descriptive in that line, he almost passes by without much informative comment. About the Dravidian affineal terms, studying Tamil terminology, he makes the following observation:¹⁷ 'The marriage relationships in this line are discriminated with equal particularity. The wife of my father's brother is my mother, and of my mother's brother is my aunt, and the husband of my father's sister is my uncle, and of my mother's sister is my father. At the next degree, the wives of my several collateral brothers are my sisters-in-law, the term used being that for female cousin; but the wives of my several male cousins are my younger sisters. In like manner the husbands of my several collateral sisters are my brothers-in-law, the term used being that for male

cousin; and the husbands of my several female cousins are my brothers, elder or younger.'

It can be easily seen that the so-called particular discrimination of marriage relationships in this line shows not only Morgan's mental confusion but also a travesty of discrimination. It should be clear to the reader even without looking at Morgan's comprehensive tables, that quite a number of relatives, primary, secondary, lineal and collateral, and affineal, are classed together. Such primary terms as father and mother cannot have been in origin affineal. Other terms, too, which designate affineal relatives must be considered to be non-affineal in origin. Thus, affineal relatives are designated by terms meant for non-affineal ones.

Morgan's error, due to his inattention to the terms for affineal relatives, becomes still more grievous when he remarks¹⁸ that the terms for marriage relationships in the Indo-Aryan languages in general, and in Hindi in particular, are Turanian. Surely, the affineal terms not only in Hindi but in all the Indo-Aryan languages are quite different from those in the Dravidian languages. In Hindi and in most Indo-Aryan languages, there are six terms for affineal relatives through one's wife, and a seventh, for wife's sister which is a feminine form of the term for wife's brother. For affineal relatives through one's husband, the terms for husband's father and husband's mother are the same as those for wife's father and wife's mother. And there are additional terms for husband's elder brother, husband's younger brother and husband's sister. The wives of the former two relatives and the husband of the latter receive designations which are the feminine and masculine forms of the terms for the respective relatives. The terms for the affineal relatives through the father and the mother, four in number, are the appropriate gender-forms of the terms for the respective collateral relatives. Son's wife and daughter's husband have each an appropriate term. Similarly there are two terms for brother's wife and sister's husband. There are thus at least thirteen distinct terms, leaving aside gender-forms of appropriate non-affineal relatives for affineal relatives including husbands of sisters. Morgan has noted¹⁹ that in the Latin kinship nomenclature 'there are thirteen radical terms for the blood kindred and fourteen for marriage relatives'. We do not know which are the relatives designated

by these fourteen terms, as Morgan has not specifically mentioned them and his list includes a far larger number of categories. We should like to point out that in his list, Latin does not have any term for a wife's sister's husband, whereas, as noted above, Hindi has one. And in counting only thirteen distinct affineal terms in Hindi we have not included any term for step-relatives. Turning to the Latin terms, we should like to point out that in Latin, wife's brother is designated as *uxoris frater* which straightforwardly means brother of the wife. In Hindi the same relative receives the designation *sala* which is a denotative term. On the whole, therefore, Morgan's treatment of affineal terms in general, and of those in the Indo-Aryan languages in particular, is not only defective but also in parts erroneous.

Let us now proceed to a study of affineal terms to see what help they can offer in the classification of kinship terminologies. In all the sub-families of the Indo-European languages group, with very few exceptions, husband's father and wife's father are denoted by one term, which is formed on one Indo-European base, the feminine form of the term designating husband's mother and wife's mother. The exceptions occur in many of the languages of Balto-Slavic sub-families. Thus Old Slavonic has a term *zeti* which denotes husband's father and wife's father and is derived from another Indo-European base from which we get the Latin word *gener* for son-in-law. Lithuanian has two separate terms for husband's father and wife's father. The word for husband's father is derived from the same Indo-European base that gives the term for this relative in other Indo-European languages, while that for wife's father appears to be derived from another base. In Greek, too, the term based on the common Indo-European primitive form is reserved for use in regard to the husband's father and mother, while another term derived from a base with more general meaning, 'binding, connexion,' is used to designate both the husband's and wife's parents. Wife's father has another term (*kedestes*) which is apparently derived from a base with a still more general meaning.

The affineal relatives, husband's brother and husband's sister, receive separate terms in the Balto-Slavic, in Sanskritic, in Greek and in Latin languages. Wife's brother has a separate term in Lithuanian and Sanskritic languages and a purely

descriptive term in Latin. In Greek the term for wife's father is also used for wife's brother. In Slavonic languages the term for this relative is more or less the same as that for sister's husband, which is completely the case with Gothonic languages. Sister's husband and brother's wife both receive purely descriptive terms in Sanskritic languages. Latin describes the former relative but has a derivative term for the latter. Husband's brother's wife has a term, in Balto-Slavic, Sanskrit, Greek and Latin which, like that for husband's father or mother, is derived from a primitive Indo-European base which appears to mean 'to give birth to'.

We may conclude from this survey that affineal terms in Sanskritic and Latin languages are individualizing and descriptive-derivative; those in Greek are somewhat classificatory; those in Balto-Slavic languages very much more so and those in Gothonic languages almost wholly so. This analysis of affineal terms and their classification corroborates to a large extent the foregoing classification of Indo-European kinship terminologies based on non-affineal terms.

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CHAPTER II

CONSANGUINEAL RELATIVES

NOMENCLATURE of the primary relatives forming the nuclear family is, in most kinship terminologies, incapable of further analysis. But the terms for these relatives in Indo-European kinship terminologies have, for more than a century, been commented upon for their etymological meanings and social implications. With the interest more and more focussed on the reconstruction of the pattern of family life in Primitive Indo-European community, this pursuit has been more purposively followed. Though some wholesome doubt may be cast on the ultimate results of such a pursuit, we think that for our purposes this approach has some valuable vistas.

Whether the husband was the master of his wife, or was her supporter, or her protector, or all the three in one, it is instructive to note that the various sub-families of the Indo-European languages group have stressed in their nomenclature of this relative either the one or the other aspect. Sanskrit *pati*, husband, is translated to mean master and has its cognate in Old Greek *posis* and Lithuanian *patis*. Most Sanskrit-inspired Indo-Aryan languages have this word or some other equivalent as an alternative term for this relative. Latin has a general term meaning man merely. Other Indo-European languages have, too, followed suit. And the Old Greek alternative term *aner* has also the same connotation, like Sanskrit *nara* which means man in general. *Bhartri*, the Sanskrit alternative term for husband, meaning supporter, is only represented in the Indo-Aryan languages, some of which in addition have a new term meaning a bridegroom. The Latin alternative term *maritus*, meaning as it does 'married one', is only a further step from bridegroom but on the same plane.

If *pati* means master, the relative that received this appellation could not have been the sole master because his wife, too, was *patni* or mistress. The designations must be taken to have reference to the house and the household as the objects of mastery and not the individual wife or the individual husband. Outside the Indo-Aryan languages, Old Greek is the only language which shows this term as an alternative

designation of wife. Old Prussian, Old Slavonic, other Slav languages, Celtic and Gothonic languages have a term which is ultimately to be derived from *jan* and is represented in Old Greek and Sanskrit as *gune* and *jani* respectively. The aspect stressed in this term for wife is that of generation, the term meaning 'the bearer of progeny'.

Latin stands out by itself among the older languages in designating the wife as one married, *marita* being the feminine of *maritus*. Even the alternative term *uxor* is to be traced ultimately to a base which gives the Sanskrit word *udha*, 'borne, married'. Curiously enough some of the Sanskrit-derived Indo-Aryan languages keep company with Latin. Hindi, Bengali, Gujarati and Panjabi have all of them an alternative term *bahu*, *vahu*, or *vohti* meaning either bride or the married one. Is there any social fact lying concealed under this nomenclature? In the Indo-Aryan languages the term for wife meaning bride occurs generally as an alternative to the standard Sanskrit designation *patni*. May we see in this modification the reflection of a change in the position of the wife in the family? From being the mistress of the house, in the later languages the nomenclature figures her as the bride, that is, no longer as the mistress but as a fresh young member brought into the family to be there under the supervision of the elders. In the case of Latin, too, this interpretation fits well as will be clear in chapters VIII and IX on Latin culture. In early Roman society not only was a bride and wife under the *manus* of her husband but she was also introduced into the household under the aegis of his mother. In the marriage ritual current amongst Indian people, that speak modern Indo-Aryan languages, husband's mother figures as an important personage through its whole length. Not only does she receive, to introduce into the household, the new bride but also very often she has to take her on her lap as an accepted member of the family. In contrast to this, the standard Sanskrit wedding ritual at least does not require the presence of the lady in such prominence. The relevant Vedic hymn, which from its form appears to have been a benediction bestowed on the newly-married woman on her entry into her husband's household, bids her be the mistress not only of the household or of the husband's brothers and sisters but also of his father and mother. The contrast between the Vedic and the

contemporary ritual is perfectly matched by the change in the term for wife.

Whether the Sanskrit term for father and its cognates in Old Greek, Latin, Celtic, Old High German, Anglo-Saxon and Gothic were in origin meant to convey the characteristic pristine function of protection or not, the fact that the appellation for this relative in these languages was based on a simple primitive form and preserved in these languages in the developed form, while in the Balto-Slavic languages this form does not occur, is quite interesting and instructive for cultural history. That father, though denotatively referred to as *pita*, would have had other appellations, more addressive in tone and less formal in content, is naturally to be expected. We actually find such terms preserved not only in Old Greek and Latin terminologies, which along with formal terms for relatives appear to have preserved quite a number of informal ones, but also in the more formalized terminology of Sanskrit language. *Tata*, an alternative term for father, though in origin perhaps an addressive term, has throughout been used as a denotative one. It is represented in Latin as an alternative term to *pater*. *Tetta* of Old Greek and *toto* of Old High German are also the same as *tata*. In Old Prussian, in Lettish, in Lithuanian and in Czech languages it occurs in a modified form as the only appellation for father. There is still another term, which strikingly enough looks like the modified form of the Sanskrit form *apta* meaning 'one's own' or 'dear one'. The Old Greek alternative term for father, *apfa*, and more so *atta*, represents that form. Latin and Old High German, too, have *atta* and *atto* respectively as alternative terms. It appears that Gothic, too, had this term. In a number of Slavonic languages, including Old Slavonic, the only term for father is *otec* or its modifications. One cannot be sure about its derivation. Is it also connected with the same base as that for *apta*? It is worthwhile noting that in the dialogues in Sanskrit dramas father is addressed as *avuka*, because in Old Prussian language *awis* was one of the two terms for father's brother.

In the Sanskrit-derived Indo-Aryan languages though one of the terms for father is almost always the one derived from the Sanskrit word *pita*, yet the more commonly used term is *bapa* or *baba*. *Baba*, today, is generally looked upon as an endearing or emotion-bearing form, while *bapa* is not so.

We do not know when and under what circumstances *bapa* came to supplant *pita* as the standard term for father. *Pappā* which probably is an endearing form of *pater* occurs as an alternative term for father both in Old Greek and Latin. Is *bapa* a further transformation of *pappā*? Anyway the supplanting of *pita* by *bapa* as an appellation for father in the Indo-Aryan languages is significant for the study of kinship terminology as showing that changes in nomenclature may occur during cultural transition without fundamental changes in kin function.

The case of mother is very similar. A single primitive Indo-European base has given the standard term for her in all the sub-families. Indo-Aryan languages have, too, the same word, sometimes slightly modified. Three of them, namely, Gujarati, Marathi and Sindhi, however, have the additional term *ai* which in Marathi also appears as *ais*, *avas*, *away*. We think that in view of the fact that Latin, Lithuanian, Old High German and Anglo-Saxon show a term for mother's brother, which is derivable from a primitive base underlying Latin *avus*, this word *ai* is not an Indian loan-word but one derivable from a primitive Indo-European base. It seems that in Hindi *aiya*, and in Bengali and in Uriya *ai* are used as alternative designations for one's mother's mother. It should also be borne in mind that mother's brother in most Slavonic languages, and especially in Old Slavonic, is called *uj*.

In most Indo-Aryan modern languages *nana* and *nani* are used to designate mother's father and mother's mother. These words, similar ones, or their cognates are not represented in Sanskrit nomenclature for grandparents. Nor are they so represented either in Old Greek or Latin. In Old High German *ano* was the designation of grandfather, and *ana* that of grandmother. George Thomson¹ states that *ane* in Old Prussian meant grandmother. In view of the fact that *an* is recognized by Walde and Pokorny as a distinct primitive Indo-European base, we cannot trace these Old High German and Old Prussian terms to *nana*. Avesta has *nyaka* for both grandfather and grandmother. And *nana* as a designation of mother is attested very early in Indian use, occurring as it does in that meaning in a verse of the *Rigveda*.² Yaska, the great Indian etymologist who lived before 500 B.C., fumbled about its derivation.³ He gives two meanings to the word, namely mother and daughter, and

derives it from the root *nama*, to bow down. Walde and Pokorny describe it as an endearing term (lallwort) and give for comparison the Persian word *nana* and the Albanian term *nane*, both meaning mother. In Greek there are the words *nanna* and *nennos*, the former meaning either the father's sister or the mother's sister, and the latter either the father's brother or the mother's brother. Liddell, Scott and Jones in their *Greek-English Lexicon* furnish us the very valuable information that Pollux in the second century A.D. used the word *nennos* to mean mother's father and mother's brother. They further inform us that Hesychius in the fifth century A.D. used the term *nanna* to designate aunt, and that Eustathius in the twelfth century A.D. used the word *nennos* for both mother's brother and father's brother. We may conclude from this that in the reckoning of the ancient Greeks *nennos* was either mother's father or mother's brother, but not father's brother. It is obvious that Greek *nennos* and Sanskrit *nana* are derived from the same base. *Nani*, the term in general use in Indo-Aryan languages for mother's mother only repeats the history of *avus* and *ai*, that is, one and the same term designating the mother and her mother or her father.

Another term for mother that we should like to comment upon is *amma*, which occurs in most Indo-Aryan languages and also in Prakrit, but not in Sanskrit. *Ammas* and *ammia* in Old Greek and *amma* in Old High German occur as alternative designations of mother. In view of this, the Sanskrit words *ambika*, *amba* and *ambaya* may be taken as formal originals of the later Indo-Aryan word *amma*. It may further be pointed out that the designation of grandmother in Old Norse was *amma*.

It has been the practice of Indian students from K. Amrita Row,⁴ who depended on Hemachandra's list of non-Aryan native words, to Baburam Saksena,⁵ a modern linguist of high authority, to look upon such words as *amma*, *akka*, *appa* and *atta* as loan-words in Indo-Aryan languages from Dravidian or sub-stratum languages. The foregoing discussion of these terms, however, should dispose of the necessity of calling in the aid of these languages. These terms are proved to have an Indo-European ancestry.

The Sanskrit term *sunu* for son is in various forms represented in most Indo-European languages as a term for this relative.

Leaving aside Celtic languages, Latin is the one language which has an altogether different term to designate the son. George Thomson⁶ has made some capital out of this fact and has commented rather jeeringly on its suggested etymological derivation. *Filius* according to Walde and Pokorny has to be derived from *felare*, to suck. They compare Greek *thele*, breast, and Sanskrit *dharus*, sucking, and trace all of them to the Aryan base *dhei-l-*. They have also drawn attention to the cognate Lettish word *dels* for son. Indo-European *dhei* means to suck. And we would like to point out that in Sanskrit lexicons *dhilati* and *dhida* are given as alternative terms for daughter. In Prakrit there is *dhuya*, and in Hindi *dhiya* and *dhi*, in Sindhi *dhiya*, and in Bengali *jhi* as alternative terms for the same relative. In Panjabi *dhi* and in Uriya *jhia* are the sole designations of daughter. We submit that these words must ultimately be traced to the Indo-European base *dhei*. Following Walde and Pokornys' lead in comparing Sanskrit *dharus*, we may draw attention to the Marathi idiomatic expression *dhara kadhane*, to milk. In Sanskrit itself *dhenu*, derived from *dhei*, means cow, because it gives milk; *dhatri* is both mother and foster-mother; and *stanandhaya*, which has the *dhei*-derived unit as the second member, means a suckling. Latin is not the only Indo-European language to have a term based on the action of sucking to denote a son or daughter. Thus the sucking aspect of the helpless infant is stressed in these terms. *Sunu*, on the other hand, stresses the physical derivation of the son from his parents.

It is remarkable that the most widely spread term for daughter current in Indo-European languages is generally derived from a base which is represented in Sanskrit by *duh*, to milk. If this derivation is accepted as the only correct one, then, unlike all other words for son or daughter, this word is the only one which is based on an activity which can be undertaken only by an adult and which can be indulged in by a daughter in a patrilineal, patrilocal society only for a short period. We have not yet come across any author who has used this feature of the nomenclature of daughter to propound that the early Indo-European family was matrilineal and matrilineal. If a daughter continues to be the milker of the cows of a household, it can be conveniently argued that in that social organization she must have continued to live

in the group in which she was born and must not have moved to the husband's place on marriage. We on our part would not subscribe to such a view and should like to point out that even this term must have had some connexion with that activity or process which has given the Latin name of this relative, *filia*. If a daughter, but not a son, was called a suckling, we may contend that it was because she was a suckling *par excellence*, a child that was to leave for some other home and not destined to increase and continue the family of its parents as the son was to do. The son was, therefore, the extender, the continuator, hence *sunu* in Sanskrit. Even more appropriate from this point of view was the Vedic term *tanva* as a designation of the son. It is interesting to note in this connexion that in a famous Rigvedic passage (III, 31, 1-2), very elaborately commented upon by Yaska (III, 4-5), *tanva* is the word used for brother as the son of the father and *jami* is the word used for sister.

Among the many alternative terms for son, the Sanskrit *putra* may be singled out for a brief comment. It is this term which has persisted in Indo-Aryan languages as an alternative to other and non-Sanskritic terms in those languages. Sanskrit etymologists have given a cultural derivation. *Putra* is one who saves his father from a hell called *pum*. The derivation is rather fanciful and can hardly be linguistically correct. Witness, for example, the fact that Avesta had the term *puθra* to denote the son. Walde and Pokorny correctly derive it from the Indo-European base, *pu-*, small, little. The cognate of *putra* in Latin is *putus* or *putillus*, meaning boy. If the term *putra* originally stressed the smallness or the diminutiveness of the child, then the alternative Indo-Aryan terms for son like *beta*, *bacca*, *chora* have only carried forward that tradition in the modern garb.

The terms for brother and sister most common in Indo-European languages are, like those for son and daughter, not only different from each other but also, like them, traceable to bases with very different meanings. In all the principal families of Indo-European languages and in all the Indo-Aryan languages, the term for brother is based on the Indo-European root, *bher*, meaning to carry or to support. As against this, in all the sub-families the term for sister is traceable to the base *seue*. That it did not reflect Sanskrit *sva*, self, or *sviya*,

one's own, is hard to believe. The uniformity of the two terms in the various languages is broken almost only by the Sanskrit-derived Indo-Aryan languages. The term for sister in these languages is derived from the alternative term in Sanskrit, *bhagini*. Sanskrit etymologists have not found it easy to give it an appropriate derivation. They say that the word is derived from *bhaga*, fortune and means one who has fortune. The derivation is naturally not accepted. In a Pali work quoted by Rhys Davids and Stede in their *Pali-English Dictionary*, it is suggested that both *bhatar* (*bhratar*) and *bhagini* are derived from the same root, *bhag* (*bhagati iti bhagini*). These rather fanciful derivations only support the contention that the change in nomenclature from the old Sanskritic one was unintelligible.

The different bases with different meanings to which the terms for brother and sister are traceable and the uniform currency of these terms in the sub-families of the Indo-European languages group may provide some ground for inferring that the pristine form of social organization in Indo-European culture was matrilineal. The brother appears as the supporter or the helper of his sister. And the sister figures as the brother's own relative *par excellence*. It can be suggested that the brother's role of helper or supporter and the sister's role of being her brother's own relative fit a matrilineal organization better than a patrilineal one. In the former a woman stays throughout her life with her brother who being the male manager of the affairs of her family may be designated her supporter.

We believe the reasoning is plausible especially as there is no explanation for the terminological differentiation observable in the terms for brother and sister. Yet we do not subscribe to this view. The terms for husband and wife which are not much less uniform in their currency in the different Indo-European languages militate against this view. We have already commented on their meaning and we do not propose to repeat it here. We shall only point out that the terminological significance of the husband is fully supported by the meaning of the term for father. This term, which occurs in all Indo-European languages except the Balto-Slavic, represents the father as the protector. The position of the husband and the father suggested by the widely current terms for these relatives is not compatible with a matrilineal organization. We conclude,

therefore, that the Primitive Indo-European organization was patrilineal.

Study of the terms for ascendant and descendant generations in the light of what we have to say in the later chapters will be found much more instructive than even the terms for the primary relatives discussed so far. Leaving aside the Celtic languages, it is seen that only Sanskrit and Old Greek had separate terms for father's father and mother's father. But the term for mother's father in Old Greek was the same as that for mother's brother. All other sub-families have only one term for grandfather without distinction between mother's father and father's father. The Sanskrit-derived Indo-Aryan languages have preserved the distinction noticeable in Sanskrit, but with the help of terms which are much less formal and much more endearing than those in Sanskrit. Both Sanskrit and Greek have based their terms for this second ascendant generation on those for the first ascendant generation, namely, the father and the mother. One singular feature of the nomenclature of these relatives in Sanskrit-derived Indo-Aryan languages is that whereas for father's father their term is more or less the same as that in Slavonic languages, the term for mother's father bears close resemblance to the Avestan and Old Persian term for grandfather.

In the third ascendant generation, that of the great-grandfather, Sanskrit and Sanskrit-derived Indo-Aryan languages, excepting Uriya and Marathi, distinguish the father's father's father from the mother's father's father. None of the other Indo-European languages maintains the distinction. The mode of naming the third ascendant generation is the same in Sanskrit, Greek, Latin and Slavonic languages among the sub-families. Indo-Aryan languages toe the line of Sanskrit in this respect. All of them prefix a unit which has the sense of beyond or above. The unit is prefixed in all of them to the term denoting the second ascendant generation, namely, the grandfather. The full word then means ' the relative beyond the grandfather '.

Anglo-Saxon, however, differs from these languages. The great-grandfather is described as the third father, so that *ealda faeder* which is the term for grandfather really signifies second father. This peculiarity of Anglo-Saxon terminology may be interpreted to reflect the nature of familial organization

in Anglo-Saxon society. We may infer from it that the family in Anglo-Saxon society was already the nuclear one, in which in ego's ascendant generation only the father and the mother formed its members, so that father alone formed the archetype for the nomenclature of further ascendants. A study of Attenborough's book on early English laws will convince the reader that the Anglo-Saxon family as far as can be judged from the laws was a nuclear unit. The custom known as borough-English, whereby among the Anglo-Saxons the homestead at the demise of the house-father always passed to the youngest son, was based on the theory and practice that the elder sons left the family to found their own homes as they came of age or married.⁷

Of the terminologies that base their terms for the third ascendant generation on the term for the grandfather, Sanskrit and Sanskrit-derived Indo-Aryan terminologies alone designate the fourth and the further ascendant relatives by terms which have the term for the great-grandfather as their basis. Both Greek and Latin terminologies which called the great-grandfather *propappos* and *proavus* have *epipappos* and *abavus* as the respective terms for his father, the fourth ascendant relative. It is quite clear that the basis of these terms is *pappos* and *avus* respectively which designate the grandfather in Greek and Latin. Greek and Latin terms for all ascendant generations that are named use the term for grandfather as their basis. This difference between the Sanskrit and Sanskrit-derived Indo-Aryan kinship terminologies on the one hand, and Greek and Latin ones on the other, deserves to be carefully noted.

The Greek society in post-Homeric times was characterized by a familial organization which worked as a unity of not more than three generations. From about the seventh century B.C. the family consisted more and more of two generations only; and by about the middle of the fifth century B.C., as we shall see, it had approximated to the nuclear type of the family. Greek kinship terminology, which makes grandfather the basis for naming ascendant generations beyond him, was thus tuned to the type of familial organization prevalent in the formative period of Greek culture.

The same feature occurring in Latin terminology appears to conflict with this interpretation. Among the Romans, in their

earliest history, the *jus osculi* existed between second cousins; and marriage between them was prohibited. Such a custom and regulation bespeaks the unity of four generations, rather than of three, as a working unity within the family. In the earliest history, the Roman familial organization must have comprised four generations and the great-grandfather must have been a part of it. Here is a situation which being almost identical with that of the Indians about the tenth or the twelfth century B.C. should have given us a parallel terminology for the fourth and further ascendant generations. Actually, we do not find this to be the case. However, it does not vitiate our reasoning because, whatever might have been the situation in early Rome, from about the beginning or the middle of the fifth century B.C., as we shall see later, the Roman family did not comprehend any further ascendant generation than that of the grandfather. The Roman kinship terminology available to us is the one framed by jurists more than a century or two thereafter. Under the circumstances, Roman terminology, too, can be said to be tuned to the current familial organization.

It is further noteworthy that both Greek and Latin nomenclature for ascendant generations named the sixth ascendant, that is, the great-grandfather's great-grandfather, as the third grandfather. This fact fully establishes the foregoing statement that Greek and Latin kinship terminologies which, be it remembered, are the only ones among Indo-European languages, besides Sanskritic and Indo-Aryan terminologies, to have terms for as high an ascendant as the sixth, based their terms for the fourth and farther ascendants on that for the grandfather. Grandfather was thus an ascendant terminus for the Greeks and the Romans.

All that is said above in respect of Greek and Latin nomenclature of the ascendant generations can, with appropriate modifications, be said about the nomenclature for the lineal descendant generations beginning with grandson in Latin terminology. Descendant generations lower than grandson received terms in this terminology which were based on the term for the grandson. The sixth descendant is *trinepos*, that is, the third grandson. Greek has not kept step with Latin in this respect. The sixth descendant is actually termed the sixth descendant. The Greek term for grandson through the son is

huionos. It is not used in any combination or modification for designating farther descendants. The alternative term for grandson, which is *eggonos*, means only a descendant or a continuator. And it is this term that is utilized for the nomenclature of farther descendants. We think we may legitimately infer that in Greek society, as for descendant generations, it had become almost unnecessary to take into serious account descendants farther than the grandson.

In marked contrast with the Greek and Latin terminologies stand the Sanskrit and the Marathi terminologies. In these terminologies the term for the great-grandfather means a person who is beyond the grandfather. Yet this whole expression is treated as the starting point for designating farther ascendants. Thus great-grandfather's father in Sanskrit is *vriddha-prapitamaha*. *Vriddha*, meaning old, is here used as a prefix of the term for great-grandfather. In Marathi, the term for grandfather is *aja* and for great-grandfather *panaja*, meaning 'one beyond the grandfather'. And this latter term, with appropriate prefixes, is used to designate farther ascendants. Thus, *ni-panaja* and *khapara-panaja* designate great-grandfather's father and great-grandfather's grandfather respectively. Though Marathi terminology travels a long way with Sanskrit terminology, yet even it stops with the fifth ascendant. We shall realize the social causation of this feature in Chapters IV and V on Indo-Aryan culture.

A feature common to other Indo-Aryan languages in respect of nomenclature of these ascendant generations is that, unlike Sanskrit and Marathi but like Greek, Latin and Balto-Slavic languages, their terms for ascendants farther than the grandfather are based on the term for the grandfather; and that the terms generally end with the fourth ascendant. Only the Panjabi language records two terms for the fifth ascendant, that is for the great-grandfather's grandfather. The term for the fourth ascendant in all these languages including Panjabi is formed with a prefix attached to the word for the grandfather. Its meaning is such that it should show a break or an end, the whole term signifying 'end-grandfather'. Even Panjabi which names one farther ascendant designates the fourth ascendant with a prefix which signifies end or break. Both Hindi and Panjabi have two terms for this relative. These features characterizing the nomenclatures of the fourth and fifth ascendants

harmonize with some of the practices connected with the birth of the third, fourth or fifth descendant which will be described. They testify to the confusion prevailing in Northern India as to whether the family unity ends with the third or the fourth ascendant and descendant. In the Marathi-speaking area, too, it is only painstaking research that has revealed the fact that the break of family unity occurs with the fifth ascendant or the fifth descendant. Casual knowledge or inquiry regards or reveals that the fourth ascendant himself is the final link in the family unity beyond which it is broken. In our list of kinship terms *ni-panaja* which designates great-grandfather's father does not convey the meaning that he ends the familial unity. But in usual and ordinary talks and inquiries the term for great-grandfather's father is *khapara-panaja*, which in our list is given as the designation of the fifth ascendant. *Khapara*, the first member of the expression *khapara-panaja* means a potsherd. *Khapara-panaja*, therefore, means the great-grandfather who breaks the familial unity. It is a semi-abusive term. This abusive aspect is stressed much more pointedly in the Marathi term for the fifth descendant. The great-grandson's grandson is commonly known as *khapara-tondya*, that is, potsherd-mouthed or a black-faced fellow, though his formal designation is *khapara-panatu*, potsherd-great-grandson.

The treatment of lineal descendants beginning with the grandson in all Indo-European terminologies very largely harmonizes with that of the ascendants beyond the grandfather. The first contrast that strikes us is that the term for the grandson is the same in all Indo-European languages excepting Greek. And this general term does not distinguish between a son's son and a daughter's son. Another contrast we have already referred to in connexion with our comments on the Greek and Latin terms for the sixth ascendant. Sanskrit-derived Indo-Aryan languages repeat the treatment of the ascendants excepting that Bengali and Uriya seem to stop their nomenclature with great-grandson, and the term designating the fifth descendant in Panjabi is not only a general term for the grandson but also occurs as an alternative term for the fourth descendant. *Nakkarpota* and *narota* which, as alternatives of *lakarpota*, are the designations of the great-great-grandson in Panjabi are particularly instructive. As we have noted above, there is a good deal of confusion in the nomenclature of ascendants beyond the

great-grandfather; and the Panjabi designation of the fifth ascendant as *nagardada* only further corroborates it in the light of the alternative terms for the fourth descendant just noted. They render it very probable that, really speaking, Panjabi kinship terminology has no term to designate the fifth ascendant and that it stops with the fourth.

While discussing the nature of kinship terminology we have often remarked on the terms for collateral relatives of the father's and mother's generation. Though there are some other points of interest, leaving them, we may pass on to other collaterals.

We have not noted in particular the terms currently used either for the ascendants or the descendants in the collateral line. Generally the terms, whenever an occasion calls for them, are the same as those for the lineal relatives.

One's collaterals in one's own generation, confining our attention only to males, are father's brother's son, father's sister's son, mother's brother's son and mother's sister's son. In the naming of these relatives Greek stands apart from the other sub-families of the group. It has only one term which is like the modern English word cousin. Bulgarian is in line with Greek in so far as it, too, has only one term to designate all the four relatives. But the word, instead of meaning a cousin, appears to mean a brother-like person, *bratovche* being a derivative from the word *brat*, brother. The Old Norse terminology is rather peculiar and distinct from all other terminologies. It distinguishes the father's brother's son from the other three relatives. These latter are designated by terms which quite clearly are connected *inter se*. They are formulated on the same basis that has given us the English term cousin derived from the Latin word *consobrinus*.

The Latin terminology wavers between the Sanskritic way of naming these relatives and that of the Sanskrit-inspired Indo-Aryan languages. *Patruifilius* is an exact counterpart of Sanskrit *pitrivyaputra*, father's brother's son. If father's sister's son is *pitrivasriya* in Sanskrit, meaning 'one descended from father's sister', *amitinus* in Latin is its exact equivalent. Mother's brother's son is mother's brother's son in both languages; and mother's sister's son in Latin is mother's sister's son, but in Sanskrit is one descended from mother's sister. In the matter of the term for mother's sister's son, Latin with the alternative term *consobrinus*, connected through sisters, took a

remarkable step whose earlier history is shrouded in mystery but the later development manifests itself in the English word cousin.

Latin has an alternative term for father's brother's son which means 'brother through the father's brother'. This is the only term of its kind amongst designations of the four relatives under discussion in the older languages and hence gains in significance. For, in most Indo-Aryan languages which are comparatively modern, and in Polish, which is a modern branch of the Balto-Slavic sub-family, parallel terms for these relatives are the general rule. All these four relatives are brothers. But they are brothers distinguished each from the other by the adjectival qualification describing the particular collateral ascendant through whom their brotherhood is derived. The fact that Latin has an equivalent term only for the father's brother's son tends to suggest that in an extended father-right family, there is a tendency to approximate one's father's brother's son to one's brother. Anyway, the Poles speaking Polish and the Indians speaking the Indo-Aryan languages had, and the latter still have, the extended father-right family as the prevailing mode of familial organization. Yet the familial organization cannot explain the brotherly term as applied to the mother's brother's and mother's sister's son and even to father's sister's son. Mother's brother and mother's sister cannot have intimate day-to-day relations with the ego in the father-right extended family; and though father's sister has a fairly assured place in that organization, yet after marriage her relations must of necessity be intermittent. The application of a brotherly term for father's sister's son, mother's brother's son and mother's sister's son must be considered to be an extension through analogy.

The English term cousin, which denotes not only anyone of the four relatives mentioned above but also anyone of their sisters, is a real enigma. This is the only term in that terminology which ignores the sex of the relative whose designation it is. The Latin term *consobrinus* from which it is derived had its feminine *consobrina*.

In the descendant generation one's collaterals are one's brother's son and one's sister's son. Sanskrit, Latin, Avesta, Lithuanian, Bulgarian have terms which are straightforward derivatives from the term for brother. The alternative Latin term *nepos*, which has given the English nephew, is represented

in Old Slavonic and Old Norse where they appear to be the sole terms for this relative. *Nepos* specifically means 'son's son' and generically 'a descendant'. Of the Indo-Aryan languages, all excepting Uriya and Marathi denote this relative by a term which is directly derived from a Sanskrit term meaning one born of the brother. Uriya and Marathi have a term which means one who is like one's son. The other Marathi term given in the list, *bhacha*, is used by a sister to designate her brother's son. This feature of Marathi terminology is tuned to the practice of cross-cousin marriage and likens it to the Dravidian kinship terminologies.

Sanskrit, Latin, Balto-Slavic and modern Indo-Aryan languages all have a purely derivative and descriptive term to designate sister's son. Greek, Celtic and Gothonic languages, on the other hand, have a general term which is classificatory not only as regards relatives of the same generation but also as regards those of different generations. *Anepsios* not only denotes all the four cousins but also sister's son, and in Middle Greek also brother's son. All the modern Indo-Aryan languages have a derivative term which is derived from an alternative Sanskrit term for sister and sister's son.

In the collateral lines terminological recognition is not given to more distant relatives. But wherever the extended family system prevails there must be numerous occasions on which collateral relatives more remote than one's first cousins and nephews have to be referred to. In modern Indo-Aryan languages one comes across such expressions, for example in Marathi, as *chulat chulat bhau* or even *chulat mavas bhau*. The former relative is one's father's father's brother's son's son or as will be commonly said in English, one's grand-uncle's son's son. The other relative is the son of one's mother's father's brother's daughter. A formal terminology, however, does not exist. Absence of such expressions in the European branches, even in those like the Slavonic languages which kept the extended familial organization till very recently, is significant.

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CHAPTER III

AFFINEAL RELATIVES

MORGAN, as observed earlier, noted the abundance of terms for affineal relatives in the Latin language. This richness of affineal vocabulary is a characteristic of other Indo-European languages also and affords interesting sidelights on, and information about, the social life and the familial organization of primitive Indo-European times.

It will be found that wherever terms for affineal relatives exist they are based, among other things, on the type and nature of the relative through whom the affinity is traced. The only exceptions to this general rule are the terms for father-in-law and mother-in-law. The reason for this terminological difference is not clear; and only a reasonable conjecture can be attempted. In almost all the Indo-European languages, the terms for these relatives have a primitive Indo-European *suo* base. At least in some of the languages the parents of the bride and the bridegroom are designated only through a general term showing 'connexion', 'binding'. In Sanskrit it is *sambandhin*, one who is bound or connected (with oneself). *Sambandhins*, or *samdhis* as they are called in Hindi, are persons who are connected (through marriage). The Greek word, *pentheros*, which is the only term for wife's father and is an alternative term for husband's father, is cognate with the Sanskrit word that can be derived from the root *bandh*, to bind. *Pentheros*, thus, generically means the same thing as Sanskrit *sambandhin*, one who is connected (by marriage). It is probable that in primitive Indo-European times the term for one's consort's parents was one with only a generic import, and that in actual address the parental terms were employed. Transition from parental terms to terms traceable to a base which means one's own is intelligible in a social organization where marriage not only united the bride and the bridegroom into a couple, not only placed the bride as a member of the bridegroom's family, but also brought their families together and accorded a definite status to the bridegroom in the reckoning of the bride's family.

We should like to stress in support of the foregoing contention the fact that the terms for wife's brother and wife's sister in

Sanskrit and the Balto-Slavonic languages are derived from a primitive Indo-European base not very much different from *suo*. One of the Slavonic languages, Russian, with its *svojak* as the term for wife's brother, reminding a linguist as it does of the Sanskrit word *svakiya*, one's own, removes whatever little hesitation one may feel in deriving the Sanskrit term *syala* from the primitive Indo-European base *suo*. The Greek term for these relatives is further corroborative evidence. Though *kedestes*, which means wife's brother, is not derivable from the base that yields *pentheros*, yet it is not only a term of generic import, but also one which is actually an alternative term for wife's father.

May it be that the terms for husband's father and husband's mother were the first to be coined, their extension as designations of wife's father and wife's mother being a later phenomenon?

It is noticed that in modern Indo-Aryan languages, the terms for these relatives are straightforward derivatives from the Sanskrit terms. Of the Gothonic languages, not only Gothic, Old Norse and Old High German but also Anglo-Saxon had cognate terms. What is even more interesting is that, of the Romance languages, Italian, Spanish and Portuguese, too, have retained terms derived from the primitive Indo-European base. German, French and English, on the other hand, have given it up and accepted the parental terms with some qualifying tag. French and English use this tag quite consistently. German breaks the consistency in the case of the affineal relatives of one's own generation.

The primitive Indo-European familial organization is reflected in the terms for affineal relatives of one's own generation. That the newly-wed bride became a member of her husband's family, which included husband's brothers and sisters and the wives of the former, may be inferred from the fact that at least for some of these relatives individualizing affineal terms show common derivation in most of the Indo-European languages. The term for husband's brother in Sanskrit, Greek, Latin, Balto-Slavic and even perhaps Anglo-Saxon is basically the same. Sanskrit etymologists have been deriving the word *devri*, which designates husband's brother, from a root which means 'to play' and point out that a young brother of a lady's husband was a playmate to her. If this etymology can be taken as correct, then *devri* can be the

designation of only the younger brother of the husband. The elder brother might have been designated 'the elder one' or, as commentators point out, even as a father-in-law. As a matter of fact both usages are recorded in the terminologies of the Sanskrit-derived Indo-Aryan languages. Thus Hindi, Gujarati, Sindhi and Panjabi designate this relative merely as 'the eldest'; Bengali and Uriya, on the other hand, call him either 'brother-father-in-law' or 'brother-in-law-father-in-law'. Whatever the truth in the Sanskrit etymologists' derivation, the fact that more or less the same word occurs in the four sub-families of the Indo-European languages group is a clear indication that there was only one term for husband's brother without any differentiation in respect of seniority.

Husband's brother's wife is a secondary affinal relative, but in a family where married brothers live together this relative becomes a close companion whose activities are intertwined with one's own in innumerable ways. That she should receive a term which is more or less the same in the Balto-Slavic, Latin, Greek and Sanskrit languages is good evidence for its existence in the primitive Indo-European social organization. George Thomson¹ who attempts to prove that the earliest Indo-European kinship terminology was classificatory, finds the existence of this term rather inconvenient. Having satisfied himself that Indo-European *auos* designated both the father's father and the mother's mother's brother, and having found that Latin *avunculus* which means mother's brother is traceable to *auos*, he concludes that a still older term that designated mother's brother must have dropped out. The term that thus dropped out was Indo-European *suekuros* which denoted not only the mother's brother but also the father's sister's husband and the father-in-law. This term was later 'appropriated' by the father-in-law. His argument takes for granted the prevalence of cross-cousin marriage in primitive Indo-European society in support of which he sets forth no evidence. He does not bother to tell us what term, if any, was coined to designate the father's sister's husband, but he is sure that *amita*, a Latin term for father's sister is related to Old High German *ana* and Old Prussian *ane*, both meaning grandmother. Somehow he overlooks the Old Norse term *amma* which also means grandmother. He reconstructs an Indo-European stem, namely *ana*, which denoted both the

mother's mother and the father's father's sister. In the authorities on these kinship terminologies *ane*, *ana*, *amma*, and *avia* are all given as designations of grandmother without distinction as father's mother or mother's mother. It may be pointed out that in Greek, grandmother, father's sister, and mother's sister were denoted by the terms *tethe* and, the latter two, by *tethis*. *Teta* is both father's sister and mother's sister in Lithuanian. Arguing in the way Thomson has done on the basis of Latin, one can conclude that on the basis of Greek the earliest Indo-European kinship terminology must have had only one term for grandmother, father's sister and mother's sister. Classification of father's sister and mother's sister under one term will go against Thomson's theory of cross-cousin marriage in primitive Indo-European society.

In a society with cross-cousin marriage so habitual as to give rise to a classificatory term for mother's brother, father's sister's husband and father-in-law, terms for all affineal relatives tend to be more or less the same as those for the two consanguineal relatives mentioned above and for cross-cousins. Thomson has suggested that Indo-European *suekuros* did duty for all the three relatives. But none of the older languages of the Indo-European family show this term or its root-base as a designation of either mother's brother or father's sister's husband. As we have pointed out above, the base, however, is almost uniformly used for the formation of terms for other affineal relatives. Thomson's contention that *suekuros* in primitive Indo-European denoted also mother's brother and father's sister's husband stands utterly unsupported.

The evidence of terms for affineal relatives of one's own generation goes decidedly against Thomson's theory of cross-cousin marriage in primitive Indo-European society. It is not only the existence of a common Indo-European term for husband's brother's wife that has to be properly explained but also the not-rare occurrence of terms for husband's brother, husband's sister, wife's brother, wife's sister, brother's wife, and sister's husband. In Old Slavonic the designation of sister's husband is such that the Serbian, Russian and even Bulgarian terms for wife's brother may be considered to be cognate with it. The term for husband's sister, however, is distinct. Though it is not common to Sanskrit, the Greek and Latin terms for this relative are cognate with it. We have already pointed

out that the term for husband's brother is common to at least four languages including the Balto-Slavic. The same is the case with the term for husband's brother's wife, which, be it noted, is not merely a feminine form of the term for husband's brother.

In this connexion it is also necessary to point out the utter inaccuracy of Thomson's equation of Indo-European *snusos* and *geme* with brother's daughter (woman speaking), sister's daughter (male speaking), daughter-in-law, and brother's son (woman speaking), sister's son (male speaking), son-in-law, respectively. The term for daughter-in-law in the Indo-European languages seems to show that there were two slight variants of one form. While *snusos* will give us the Old Slavonic and Sanskritic terms for this relative, we do not think that it will explain the Greek, Latin, Old Norse, Old High German and the Anglo-Saxon forms of the term for daughter-in-law. These have an 'r' sound in them which *snusos* does not possess. The terms for brother's daughter and sister's daughter in Lithuanian, in some of the Slavonic languages, in Sanskrit and in Latin are straightforward derivatives from the terms for the primary relatives and have no connexion with *snusos*. Daughter's husband is designated by a term, in Balto-Slavic, Sanskrit, Greek and Latin, which is derivable from the Indo-European base *geme-*. So we believe is the Sanskrit word *jami* which in early Vedic language denoted daughter and which later Sanskrit lexicons list as an alternative designation for daughter-in-law. However, in none of these languages does the base provide terms for brother's son and sister's son. The only exception is formed by the Sanskrit word *jameya* which is an alternative term for sister's son. *Jameya* means 'one born of *jami*'. *Jami* is sister. It is thus seen that Thomson's equations about cross-uncles and father-in-law, and of cross-cousins and brothers-in-law and sisters-in-law are not correct.

The one incontestable conclusion that can be drawn from the study of affineal terms in the Indo-Aryan languages is that the family organization in primitive Indo-European culture was of an extended type in structure and bi-linear in kin affiliation. Brothers, on marriage, lived as members of one family along with their parents. And one cannot say that they separated after children were born to them. The Indo-European family was, in all probability, a unit comprising four generations. We have already remarked that in some of the

Indo-European languages a distinct term for an ascendant or a descendant relative stops short with the second ascendant or the second descendant. Both grandfather and grandson received distinct terms. Further ascendants than the grandfather or the remoter descendants than the grandson were designated in terms of these relatives. We have concluded that these terminologies reflect the later stage of Greek and Latin cultures. In view of the fact that Sanskrit and one or the other of the Slavonic languages have terms for the fourth ascendant and the fourth descendant the primitive Indo-European family must have comprised four generations.

To revert to the consideration of terms for affineal relatives we may repeat the observation that the terminologies of the Sanskrit-derived Indo-Aryan languages excepting Marathi have two terms for a woman's husband's brother according as he is elder or younger than her husband. Parallel with this usage the husband's brother's wife, also, is terminologically distinguished in all these languages. The simple way to do this, as most languages do, is to make a feminine noun out of the term for the husband's brother. Thus husband's elder brother being designated *jeth*, his wife is *jethani*. The younger brother, on the other hand, being *der*, his wife is designated *derani*. The terminologies that have a generic term for husband's brother's wife do not follow this procedure. They, naturally, use a qualifying adjective to show her seniority or juniority.

The most notable feature of the Indo-European affineal terminology is that whereas in most other terminological differences Sanskrit often agrees with Greek or Balto-Slavic and only a little less often with Latin, in the naming of a woman's husband's sister, Sanskrit stands apart by itself as against Greek, Latin and Balto-Slavic as a group. These latter languages have terms for husband's sister which are quite clearly derived from one base. The root-meaning of the base would appear to be 'connexion'. The term in Sanskrit is *nanandri*, which is quite different from those in Greek and other languages. It occurs in early Vedic literature where the newly-wed wife is given the blessing that she may rule over her husband's sister. Late Sanskrit etymologists are hard put to it to explain its derivation. Perhaps one would have expected to see some connexion established between this term and *nana*, an endearing term for mother. On the other hand, on com-

parison with such terms as *pitri*, *matri*, *bhratri*, *svasri*, *devri*, *yatri*, one would expect the original form to be *nandri*. Even if it were so, however, its etymological explanation would be as difficult as in the case of *nanandri*. For there is no comparable term to enable us to determine the common base. The common etymology given is 'one that is not pleased', *na nandati*. We shall see that conflict of interests between a woman and her husband's sister was quite strong even in early times. It is reflected even in ritualistic literature by way of an analogy. We shall not be wrong if we state that by about 1000 B.C. the conflict of interests between a woman and her husband's sister had become proverbial. Under the circumstances, if Sanskrit etymologists used the stereotype of the disgruntled person for explaining the term we cannot blame them even if linguistic science cannot uphold that etymology. The same Sanskrit word in its vernacular form designates this relative in all the Indo-Aryan languages. This should convince us that there was no other term for this relative in use even by the earliest Indo-Europeans that came to India.

Husband's sister's husband, too, has received an appellation in Sanskrit and the Indo-Aryan languages. In Sanskrit it is a purely descriptive term meaning 'husband of husband's sister'. That it is not merely a lexical term is certain because we find it used in Bhavabhuti's drama *Uttara-Ramacharita* (I, after v. 10). Of course the occasions of reference to this relative in his formal designation must have been rare because a woman's husband was informally known at his wife's place as the son-in-law and was thus addressed. The terms in the Indo-Aryan languages are straightforward derivatives from the Sanskrit word; only they are not easily recognizable in their vernacular garb as such derivatives.

In the patrilineal Indo-European society a woman on marriage not only transferred her residence but also the membership of, and the allegiance to, certain social groupings. If the early society was devoid of exogamous moieties and perhaps also of any exogamous grouping other than the family, then a man's wife's sister on her marriage would have belonged to a different family from his own, not necessarily belonging to his own village or to any such local grouping. But the wife's sister before her marriage is a member of the man's wife's father's family. There is, therefore, a need for a term both

for the wife's sister and wife's brother. Why only one term with a masculine and a feminine form has been used in Sanskrit and other Indo-Aryan languages to denote these relatives, though not wholly clear, is thus plausibly explained. That Greek, and Balto-Slavic excepting Lithuanian, follow the same practice may be taken to suggest that the practice was primitive Indo-European. Lithuanian alone has a special term for wife's brother and it appears to have the generic meaning of connexion.

'Wife's sister's husband' is a term of secondary affinity comparable to 'husband's brother's wife' but there is a difference in their situation *vis-a-vis* the users of the term. In the early Indo-European society, husband's brother's wife was a co-member with oneself of the family unit. Wife's sister's husband was of course not a co-member with oneself of one's family unit except in those rare cases where one's wife's sister married one's brother, or one's paternal parallel cousin. In such special cases, however, two relationships being involved generally the primary relationship would have dominated over the new affineal one. Leaving aside such special cases, and knowing full well that one's wife's sister's husband could, like oneself, be only a casual visitor to the wife's people, he could not have been one of the day-to-day companions. And yet he has been given a designation not only in Sanskrit and the Sanskrit-derived Indian languages, but also in Greek. It is interesting to note that the Greek term has a generic meaning, while the Sanskrit term is a straightforward descriptive designation. The terms in the Indo-Aryan languages are traced to the Sanskrit word.

With such rich affineal terminology it is quite clear that Indo-European culture was based on bilateral recognition of kinship. We have failed to discover any traces of matrilineal system of the unilateral clan. We must conclude, therefore, that the study of Indo-European kinship terminology establishes that primitive Indo-European culture was characterized by a family-unit comprising three or four generations. It was patrilineal in descent and patrilocal in residence, with bilateral kinship. In as much as the affineal terminology was very highly developed, it is likely that there was the bilateral kindred.

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CHAPTER IV

IN INDO-ARYAN CULTURE—I

THE earliest literary record of any trait of Indo-European culture is undoubtedly provided in Indian works. The earliest of these, the *Rigveda*, is believed to be some centuries older than the latest of the Vedas, namely *Atharvaveda*. For our purposes we will consider the data of all the four Vedas together and as relevant to the period from about 1500 B.C. to about 1200 B.C. The Vedas being mostly prayers and liturgies cannot be expected to give us a full glimpse of the life of the people. Similes used in mystical formulas and hints thrown out in incantations or some light-hearted verses form the main material out of which we have to construct a picture of family and kin in the early period of Indo-Aryan history in India.

Some kind of ancestor-worship was definitely a feature of Indo-European culture. To judge by the data available in the earliest Indo-Aryan literature, as K. M. Kapadia¹ has pointed out, the ancestors that received worship were communal and not those of individual families. These communal ancestors or manes are collectively called *Pitris* in the *Rigveda*. There are a number of passages in this work which taken together clearly establish that there was in the imagination of the Rigvedic Aryans a world of 'Fathers', that the 'Fathers' were some kind of divine spirits and beneficent gods, and that in that world situated in the high heaven, king Yama showed the path to many departed spirits. The 'Fathers' already turned into divine spirits are further spoken of as acknowledging and welcoming the newly-departed ones. The grieving relatives of the newly-departed one prayed to him to visit his relatives left behind, bringing along with him other 'Fathers'. The *Pitris* (Fathers), when supplicated in this manner were believed to come in thousands, along with gods, and to partake with avidity the food offered by their relatives. The *Pitris* are described as kind, righteous and beneficent. They have the capacity to bestow health, wealth and strength on mortals and to protect them when called upon to do so. Needless to say they could bestow heroic sons as a gift on their relatives.

On the whole, we are inclined to agree with Kapadia's conclusion that the *Pitris* or the Fathers of the Rigvedic Aryans were communal manes and not individual ancestors of the individual family. We wish to draw our reader's attention to the episode of Agastya and Lopamudra, a dialogue occurring in a Rigvedic passage (I, 179). That dialogue is simply a kind of solicitation between either a husband and a wife or between a lover and a beloved. But in later literature, tradition represents it as a conversation after a particular incident. Agastya who remained unmarried much beyond the usual age of marriage is represented as having seen his ancestors in distress. On his questioning them he came to know that they were in that condition because they did not receive any customary oblations at his hands. The 'Fathers' impressed upon Agastya the pressing need for him to marry and settle down as a householder if he was solicitous about their well-being. Agastya being impressed decided to marry. Lopamudra of Vidarbha was his choice for bride. And the Rigvedic dialogue is represented to have been Agastya's solicitation to his wife Lopamudra for sexual congress.

If the traditional setting of the Agastya-Lopamudra dialogue is to be considered valid for the Rigvedic age then it is clear that almost a full-fledged worship of ancestors of individual households must be taken to have developed before the end of the Vedic age. This supposition is borne out by the state of ancestor-worship that is represented in the *Atharvaveda*.³ In one of the funeral hymns, the great-grandfather of the ego is invited as one of the ancestors along with the father and the grandfather. Another passage (*Atharvaveda*, XIV, 2, 73) occurring in the wedding hymn refers to the ancestors as having come to the wedding to see the bride. And it is significant that they are requested to bestow on the bride protection and progeny. From this time on, funeral oblations to be offered every year at some stated periods and days, known technically as the performance of *shraddha*, have been current among Brahmanic classes till today.

The offering of worship to one's three ascendants remains a current practice from Atharvavedic times onwards. And the limitation to three ascendants requires explanation. Why was it that worship of communal ancestors was replaced by worship of three ascendants and not either two or four? We may

presume that the choice of ascendants must have been dictated by the conditions of living. If there were a fair number of families which had four generations of its members living together, the fourth as the ego having known his three ascendants may be expected to show respect to them when deceased. If on the other hand, a very large section had families with only three generations living together, then the worship offered to the deceased ancestors would have included only two ascendants. For they would have been the only ascendants known to the ego while living. The grouping of three ascendants as recipients of ancestor-worship must be considered to stem from the fact that the predominant type of living unity of the family must have been one of four generations.

The fact that in the *Rigveda* there is no mention of great-grandfather should not militate against this view. This ascendant relative is actually mentioned in the *Atharvaveda*.³ The fact that the blessing pronounced on the new bride in the wedding hymn occurring in the *Atharvaveda* (XIV, 1, 43, 44; 22) contemplates her dominion over in-laws and a family unit comprising grandchildren (*napat*), similarly, need not be interpreted as going against the foregoing view. After all *napata* was a general term used for any descendant.⁴ In the *Aitareya Brahmana*,⁵ in a passage which is concerned with the continuity of Agnihotra or the fire-sacrifice in a family, and its capacity of procuring heavenly bliss to the ancestors of the family, the word *naptri* means great-grandson. A person is represented as addressing his son (*putra*), his grandson (*pautra*) and his great-grandson (*naptri*) and charging them with the duty of continuing the family fire-sacrifice for his heavenly bliss. In one of the oldest Upanishads⁶ a special form, never to be met with again or elsewhere, of the term *pautra* designates a great-grandson. 'Janasruti pautrayana' is described as having been a far-famed donor and feeder. *Pautrayana*, as commentators have explained, means son's grandson, and Janasruti means a descendant of Janasruta. In the passage it is clear that it was thought adequate to specify a well-known donor without actually naming him as the great-grandson of his famous great-grandfather. The Vedic family must, therefore, be construed to have been a working unit of four generations.

This is not to suggest that the whole Indian society in Vedic times was homogeneous with regard to family-unit.

The term *gartaruk* occurring in the *Rigveda*, as traditionally explained by Yaska⁷ before 500 B.C., gives an indication that in some parts—southern regions—a widow could demand, following a certain procedure, from her deceased husband's brother and family her share of the wealth. We do not know the precise circumstances under which she could exercise this right. We cannot ascertain whether it was the case of a co-parcenary or of a reunited household. If we take it, as we think we have to, that it was an ordinary case of an undivided household, joint in estate and food, such a right vested in a widow argues against the existence of a joint family of four generations. We must therefore envisage Vedic society as having amidst it as a regional or sectional custom the system of nuclear family or of a family-unit very similar to that. The ritual of *shraddha* as laid down in the *Shrauta Sutras*⁸ (not later than 500 B.C.) contemplates persons not knowing the names not only of their grandfathers and great-grandfathers, but even of their fathers.

In the *Atharvaveda*⁹ there is almost an explicit reference to the custom of avoidance between a daughter-in-law and her father-in-law. It is suggested that the former keeps away from the latter as people keep out of the sun. This reference cannot be later than 1000 B.C. and there are others which attest to the existence of this behaviour-pattern during the next four or five centuries. In the *Aitareya Brahmana*¹⁰ there is a reference to a mystical rite intended to nullify an opponent's army. To carry conviction about the efficacy of the charm the analogy of the behaviour-pattern between a daughter-in-law and her father-in-law is utilized. Sayanacarya commenting on the passage in the fourteenth century A.D. has explained that analogy at length, evidently in conformity with contemporary behaviour. The formula becomes effective in dispelling an opposing army because the deity invoked is the father-in-law of the female deity presiding over the army. As in the households of the elite and the well-to-do, a young daughter-in-law on seeing her father-in-law wraps herself properly with her garment so as to conceal her limbs and slinks away into the household unnoticed, so too the opposing army on the invocation of the particular rite is bound to behave towards the presiding deity. In the *Asvalayana Shrauta Sutra*¹¹ among procuratory rites there is one which was intended to subdue

one's enemies and is called the *Snusa-svasuriya isti*, the rite of daughter-in-law—father-in-law. We have not been able to get an exact explanation of the passage or even a traditional one, but we think the rite is more or less the same as the one in the *Aitareya Brahmana* referred to above. It was so called and was supposed to have that devastating power evidently because the pattern of behaviour between a daughter-in-law and a father-in-law was of the type that Sayanacarya has taken for granted.

It must be noted that the new bride introduced into the joint household was expected sooner or later to rule over it, including her father-in-law and mother-in-law, besides her sisters-in-law. By sisters-in-law are meant the sisters of the husband and not also the wives of the husband's brothers. The new wife of course ruled over the husbands' brothers, particularly the younger ones.¹² The benediction wishing the new bride mastery over her father-in-law and mother-in-law should not be construed to mean that this superior position would result immediately after marriage. As a matter of fact, a daughter-in-law was expected to show a respectful attitude and also to keep a respectful distance in her behaviour towards her father-in-law. In the *Yajurveda*,¹³ there is a curious reference to the confusion and indecency resulting from the drinking of spirituous liquor, and to the consequent conclusion that a Brahmin should not drink liquor on that account. The indecency referred to is that under the influence of drink even a father-in-law and his daughter-in-law indulge in mutually jocular talk. It is clear that perfect decorum of behaviour was the expected pattern between a man and his daughter-in-law.

Of all the family relationships, that of brother and sister has received special references even in the *Rigveda*, directly or indirectly. The brother generally appears as the protector of his sister, not only after the father's death but perhaps also during his life-time. One Rigvedic passage, as interpreted by modern scholars, hints at some social disability of a brotherless maiden. As interpreted in a very old tradition—much older than Yaska—that is in the eighth century B.C., the passage is taken to refer to a brotherless girl made a *putrika*, or an appointed daughter, by her father.¹⁴ A *putrika* or an appointed daughter is an exact replica of the Greek *epikleros*. As Yaska notes, the son of such a woman technically and ceremonially

becomes her father's son and cannot be a continuator of her husband's line. Yaska opines that because of this possibility a person was exhorted to beware of marrying a brotherless maiden.

It is also possible that the brother of a woman who was ceremonially important was a source of strength and help to her husband. In contemporary orthodox Brahmanic marriage ceremonies the bride's brother has to discharge the function of offering the parched grain to the bridegroom to be used as oblations to the nuptial fire. How ancient that practice is we do not exactly know. It is recorded in the early ritual of the *Grihya Sūtras*, about the fifth century B.C. In *Āpastamba Grihya Sūtra*, and it would appear in other *Sūtras* too, it is stated as the opinion of some that the parched grain to be offered by the bride, and not by the bridegroom, as an oblation is put into her hands by her brother.¹⁵ Even earlier, Yaska incidentally attests to its currency. It is in connexion with the explanation of the word *syala* occurring in a Rigvedic passage of considerable significance from our point of view. There the bounty of certain deities is praised and for elucidation the usually bounteous nature of *syala*,¹⁶ the wife's brother, is referred to. It is clear from this analogy of the wife's brother as the bounteous fellow that a person found a source of strength in him. He would naturally be loath to marry a maiden who could not provide this bounteous helper, being brotherless.

It is in expounding the etymology of this word *syala* that Yaska incidentally reveals to us the current practice. He says the *syala* is so called because he offers parched rice (*laja*) from the winnowing pan (*sya*). According to Yaska, thus, the wife's brother was called *syala* because he discharged the function of giving the parched grain to the bridegroom to be offered as oblation.

It is particularly interesting to note that the relations between a man and his wife's mother were suffused with respectful affection for the son-in-law. In a Rigvedic passage (X, 34, 3) a gambler who has lost heavily in gambling, bemoans his luck, apparently at the thought that his wife's mother would dislike him. From the context it appears that the gambler was sorry that he was losing the good opinion and consequent favours of his mother-in-law rather than that he was afraid of her. We think that we are interpreting the meagre evidence

correctly if we assert that the pattern of behaviour suggested by this passage is different from the recent and contemporary one. This latter pattern of behaviour is characterized by avoidance in overt behaviour, and is suffused with tender emotion in its mental make-up.

We have already referred to the bare information available about the woman's affineal relatives. We cannot ascertain if the pattern of behaviour between her and them, particularly the husband's mother and the husband's sister, was anything like the one that has been recent and contemporary, namely one of jealousy and enmity. Yaska¹⁷ (before the fifth century B.C.) commenting on the word *devara* which means husband's brother, derived it from his play-activity, implying that *devara* was one who was a woman's playmate.

As stated above the newly-wed bride was expected sooner or later to rule over her husband's sisters. The relation between a woman and her husband's sister is much more tense with potentialities, the two females tending to be of similar age. The sister, both because of the affection subsisting between her and her brother, and also because of her influence with her mother, must have been an important female member of the household. The new bride who was to rule over the household sooner or later was naturally in the position of a usurper. The precise behaviour-pattern existing between these two relatives in the Vedic age is not known. Jealous animosity characterized it in later times to such an extent that by the third or fourth century A.D., and perhaps even much before, the Sanskrit term for a husband's sister, *nanandri*, had come to be explained etymologically as one who is not pleased. A husband's sister by then had become a typical hard-to-please relative. The only reference in Vedic literature that we have been able to find is one from the *Aitareya Brahmana*.¹⁸ The particular passage offers an explanation why a certain ritual comes after some other ritual. The two rituals are stated to have that relative position in the same way as a woman and her brother's wife. For 'one's sister though born of the same womb as oneself lives by following one's wife who is born of another womb'. It is clear that in the household the sister had to play second fiddle to her brother's wife. It is not known whether the situation envisaged is that of a sister yet to be married or of a married sister coming to live temporarily, or again of a widowed sister

living permanently with her brother. It is worthwhile noting that the worldly practice of the sister's dependence on her brother's wife is taken as current, but not completely acquiesced in as logical or natural; for the contrast in the birth positions of the two females is vividly mentioned. However, the current reality being what it was, in a proverbial passage of the same work¹⁹ it is declared that a daughter is a pitiable object (*kripāna*).

Identification of individuals through the system of naming has some relation to the family organization, and the method of naming may be studied to get further light on the family system current in Vedic times. P. V. Kane²⁰ has drawn our attention to the specification of a king in the *Rigveda* as Trasadasyu Paurukutsya Gairiksita, and has informed his readers that the first is the personal name and that the second part of the unit, Paurukutsya, is a derivative from Purukutsa, the father's name. The last member of the name is a derivative showing that the person belonged to the Giriksita *gotra*, and was thus what is now spoken of as the family name or surname. Similar names from *Brahmana* literature have been given by Kane. From these it is seen that among the Kshatriyas also the practice of specifying an individual by stating his name with three members was current. The only difference was that the last member was not a *gotra* name but was a real family or dynastic name. Thus the famous King Harischandra is spoken of as Hariscandra Vaidhasa Aiksvaka, that is Hariscandra, the son of Vedhas, belonging to the Ikshvaku family.

This system, however, was either confined to certain regions or was restricted to formal occasions. As Kane has observed the usual method of referring to a person in the *Rigveda* is by two epithets, the first of which is his personal name and the second a derivative from his father's name.²¹ Almost all the personalities that occur in the old *Upanishads* are specified with two names only. The first component of a name with one or two exceptions is always the person's individual name. The second component similarly with one or two exceptions is a derivative from the person's father's name. Thus we have Silaka Salavatya, Atidhanva Saunaka, Sukesa Bharadvaja, Baka Dalbhya. Uddalaka Aruni, Bhṛugu Varuni, etc. In the name Saibya Satyakama, the individual name forms the second part, and the derivative from the father's name, the first part. In Saurya-

yani Gargya²² we have the first member a derivative from the person's grandfather's name, Surya being the grandfather of Gargya which we take to be the person's individual name. One of the most famous searchers after truth in the *Upanishads* is Svetaketu. He is the son of Uddalaka, whose father was one famous Aruna. Uddalaka, as we have stated is referred to as Uddalaka, the son of Aruna, while Svetaketu, Uddalaka's son is spoken of as Svetaketu Aruneya in three different places,²³ that is Svetaketu, the grandson of Aruna. Another person figuring in this pattern of names is Brahmadatta Caikitaneya.²⁴

There are names of three persons which may be described as matronymics. The famous Satyakama figuring in *Chhandogya Upanishad*²⁵ has the matronymic Jabala as the second component of his name. His mother's name was Jabala and as she could not point out to her son definitely who his father was, he came to be known as Jabala, the son of Jabala. The case of Baka Dalbhya who figures in the same *Upanishad*²⁶ is a slightly different illustration of a matronymic. His other name was Glava Maitreya. The second component Maitreya is a derivative from his mother's name Mitra. The name of Driptabalaki Gargya who figures in *Brihadaranyaka Upanishad*²⁷ is still another pattern of naming. First the person does not have any proper individual name. The first component is a combination of a nick-naming adjective and a matronymic, the whole meaning 'vain son of Balaka'. The second component is a patronymic. Kane has instanced at least three names from the *Rigveda* in which the second components are matronymics. In order to impress upon the reader that the addition of a matronymic was more or less a current and alternative practice, the following remark of P. V. Kane is quoted:²⁸ 'This practice of mentioning a man by his mother's own name or her *gotra* name was continued till later times . . . In the *vamsa* added at the end of the *Brihadaranyaka Upanishad*, we have about forty names of sages that are matronymic.'

The pattern of naming with two epithets described above seems to have been current mostly amongst Brahmins. For, all the Kshatriyas figuring in the *Upanishads*, except Pravahana Jaivali, have a derivative from the name of their dominion as the second component of their name. Thus we have Asvapati Kaikeya, Hiranyanabha Kausalya, Ajatasatru Kasya, Janaka Vaideha. In the name of Pravahana Jaivali, however, the

second epithet is a patronymic meaning, 'son of Jivala'. Among Brahmin names occurring in the Upanishads, we discern only one,²⁹ *Bhargava Vaidarbhi*, the second part of which is a territorial derivative, *Vaidarbhi* meaning, 'one from *Vidarbha*'.

Indo-Aryan culture is known for formulation of its ends and for prescription of means for the guidance of society and its components in a clear and definite manner. The Indian theory and practice of life, its social philosophy, its laws and its customs have centred on the four social categories of *varna*, caste, *asrama*, stage of life, *purusartha*, purpose of life, and *rina*, debt. Each individual in the full-fledged theory belonged to one of the castes, and was expected to pass through at least two of the four stages of life, namely studenthood, householdership, hermitism and asceticism. The four ends of human existence, prescribing for each individual the purposes that he was expected to fulfil, accommodated both the material and spiritual aspects of man. The theory of three debts, with which every individual was believed to be born, prescribed that the fourth and the final end of human existence, namely salvation, could not be achieved unless one properly discharged his responsibility in respect of these debts. The theory of three debts appears to have been formulated earlier than any of the other categories mentioned above. In *Taittiriya Samhita*,⁴⁰ a Brahmin is said to be born with three debts which he discharges by his conduct in life. Living a bachelor's life for a prescribed period and undergoing study during it, he discharges his debt to the sages; by sacrificing he frees himself from his debt to the gods; and through progeny he satisfies the claims of the ancestors.

The debt to ancestors is repaid through progeny because one's son by offering ancestor-worship to one after one's death and to one's ancestors would help them in their spiritual march.³¹ Worship to ancestors had already become an item of routine-life in accordance with the duties of *varna* and *asrama*. The *Shrauta Sutra*³² works, which must have been compiled before the seventh or the eighth century B.C., prescribe the performance of *Pindapitriyajna* on the fifteenth of the dark half of every month. P. V. Kane has pointed out that this sacrifice, and a more restricted one called *Mahapitriyajna* or simply *Pitriyajna* have higher antiquity, being referred to

in the *Yajurveda* and perhaps also in the *Rigveda*.³³ The *Mahapitriyajna* was offered on the full-moon day of either Kartika or Margasirsha, i.e. November-December. The third rite of the manes known to early literature is called *Ashtaka* because it was done on the eighth of the dark half of a month. It appears that among the four eighths, those of Margasirsha, Pausha, Magha and Phalguna, that coming after the full moon of the month of Magha was particularly sacred to the manes. It is referred to even in the *Atharvaveda* as *Ekashtaka*, the eighth *par excellence*.³⁴ It appears that what the earlier exhortative and normative literature called *Pindapitriyajna* came to be described as the rite *Parvanashraddha*, the manes-worship offered on the *parva* day, i.e. the fifteenth of the dark half of a month.³⁵ The ritual is the same; only in the latter rite the new elaboration of Brahmins, representing the ancestors, to be fed at the end of the rite is added. It is very significant from our point of view. In it the worship of the manes, of the three ancestors, and the mention of further three ascendants took a concrete shape in regard to the three immediate ancestors, now represented by the living Brahmins. The rite thus gathered a new focal power for the solidarity of four generations.

If one *ashtaka* rite, that on the eighth day after the full moon of Magha (February), was specially mentioned in the early literature, in the *Grihya* literature of about the sixth century B.C., we have the rite called *maghyavarsha* or *magha-varsha* as of special significance to the manes because only meat was to be offered to them on that day. It was to be offered on the thirteenth day after the full moon of Bhadrapada (August). In this literature three other *shraddhas* are added to the rites of *parvanashraddha* and *maghyavarsha*. They are named *kamya*, rite for a desired end, *abhyudayika*, rite in celebration of a joyful event, and hence a thanksgiving rite, and *ekoddishtha*, 'meant-for-one' rite. The nature of the *kamya* or optional rite for procuring a desired end is nowhere explained. The *ekoddishtha* rite was performed for a person who was recently dead, in order to enable the spirit to become a mane after sixteen rites of that description, capped by the final rite of 'uniting with the rice ball' or placing the deceased among the three immediate ancestors. It was after this final rite, performed a year after the demise of a person, that the deceased

became an ancestor or a manes entitled to all the manes-worship.³⁶

In the next age of law-giving, in the age of the *Smritis*, many more rites for the manes came to be recommended. But we shall content ourselves with mentioning only two of them. One of them is important because it turned the manes into veritable deities, to be worshipped daily in accordance with a ritual which was peculiar to manes-worship, and distinct from that used in the worship of deities. It brought the three immediate ancestors into an ever-present milieu. Their ideational presence as the past makers of the family, and as its present benefactors, could turn ancestor-worship into a stabilizing force of great power for the grouping of the family. Every twice-born male in theory, and in practice perhaps only the head of a Brahmin household, had to and has to offer five daily sacrifices. One of them is known as the *pitriyajna*, the sacrifice for the manes. Though these five great sacrifices have been mentioned in works which cannot be dated later than the eighth century B.C., the specification of the manes-sacrifice occurs first only in *Grihya* literature. It is noteworthy that in this characterization the worship or sacrifice appears a very insignificant affair, tacked on to the finish of the daily worship of household deities. Only the remnants of the food prepared for the offering of oblations in the fire are to be offered to the manes.³⁷ The later *Manusmriti*, however, exhorts that the daily manes-sacrifice should be performed with food and by feeding at least one Brahmin. In the alternative, mere libation of water may be offered.³⁸ Anyway the manes-worship was thus being put on an independent basis instead of treating it as only a tag to another worship. In the provision of an alternative procedure we clearly see an appreciation of the decline in ancestor-worship, which becomes more evident in other alternative procedures that *Manusmriti* lays down.

Another rite which *Manusmriti* hints at is some worship expected by the manes at a particular astronomical juncture, which later became the standard and the most observed period of manes-worship.³⁹ The old rite of *maghyavarsha*, observed on the thirteenth day after the full moon of Bhadrapada is now prescribed as very necessary. And the details of its observance stress the progressive decline rather than show the growth in ancestor-worship. Some eatables mixed with honey were the

only offering to be made, evidently without any elaborate ritual, in the name of one's ancestors. From the fact that no specific ancestors are mentioned it is clear that the rite was a general one like the later and contemporary counterpart of it observed on the fifteenth day and known as *sarvapitriamavasya*, 'the dark fifteenth dedicated to all Fathers'. And this today is the most observed of the manes-days by large classes of people, who, on this day, offer some food to crows in the name of the manes.

That there was a marked decline in the willingness to offer frequent and repeated worship to ancestors is further evidenced by alternative exhortations of Manu in the matter of the *parvana* or the monthly *shraddha*. After having fully described the procedure Manu concludes that, if it is not possible to offer the particular type of manes-worship every month, then one should offer it at least thrice a year, during winter, summer and the rains.⁴⁰ We may conclude that by the first century B.C. one important type of manes-worship had become contracted. The author of *Manusmriti* was conscious of the decline of belief in manes-worship; for immediately after his description and prescription of various types of manes-worship he tells his doubting readers that Fathers are gods (III, 284). Medhatithi, the earliest commentator of the work, writing in the ninth century A.D., explains this reference to the godhood of the Fathers as a special exhortation. Feeling that people might not have sufficient respect for ancestor-worship to incline them to offer it on the usual injunction, Manu identified Fathers with gods to cajole people through fear of dire consequences to offer *shraddha* to the manes. Under the circumstances it cannot be a mere accident that Manu while laying down his law of the devolution of property, impliedly at least, bases it on the principle of the capacity to offer and receive funeral oblations and water libations (IX, 186).

In modern times the two manes-rites that have been, or used to be, particularly observed are, the *Pratisamvatsarika* or *Varsha Shraddha* and the *Mahalaya Shraddha*. The *Varsha* or *Pratisamvatsarika Shraddha*, as its name indicates, is the worship offered to a deceased person annually on the exact lunar day on which he or she died. This rite, which would *a priori* be expected to be the most ancient and most observed, is not attested in any of the old works. Even the list of ninety-six *shraddhas* which

such a late work as the *Nirayasinidhu* presents does not mention this rite.⁴¹ And P. V. Kane writing on its procedure and ritual draws upon one of the very modern catechisms.

The *Mahalaya Shraddha*-form of manes-worship has nevertheless rather old roots. It must be remembered that the *maghyavarsha* rite, performed on the thirteenth day after the full moon of Bhadrapada, which was enjoined as early as the sixth century B.C., had come to have such significance by the first century B.C. that we find *Manusmriti* exhorting its observance on the ground that on that day manes must receive some honey and food. They always wish that there may be born in their family someone who will offer them some honey, ghee and sweetened milk on that day. Manu further adds that their desire for such food is as intense on other days of the same fortnight when the shadows in the afternoon are not only lengthening but also going eastward. The days meant are referred to in terms of some astronomical phenomenon. Whereas Manu's exhortation seems to refer to a particular day, the modern and current practice is based on treating the whole period of a fortnight after the full moon day of Bhadrapada as the *Mahalaya* period and the rites performed for the manes in that period are described as the *Mahalaya Shraddha* as contrasted with *Pratisamvatsarika Shraddha*. P. V. Kane's researches in the realm of Dharma literature have not discovered any authority for this practice more ancient than *Bhavishyapurana*.⁴² The rite is observed on that lunar day of the fortnight on which the last ancestor died irrespective of the month or its fortnight.

As stated above one's three ancestors came to be offered the manes-worship before 1000 B.C. The complete ritual of the earliest type of manes-worship, *pindapitriyajna*, as given in the *Shrauta Sutra* literature, ascribed to some period before the seventh century B.C., distinctly mentions the father, father's father, and father's father's father as the recipients of the worship, who were invoked with the help of three rice-balls, one in the name of each. It is a matter of contention among scholars whether the three ancestors above the great-grandfather received some worship in this rite according to this ritual, whether with the help of the three rice-balls made for the three ancestors or with the help of three other balls

meant specifically for them. It appears that the practice varied in the different schools of Vedic followers. In some schools the last ball received the recital of the names of the three remoter ancestors, in others they were satisfied with mere wiping out of the remnants, and in still others they were offered independent rice-balls.⁴³ In later and current ritual the rule stated by Manu⁴⁴ that only the immediate ancestors are the recipients of rice-balls, the fourth is the offerer and there is no business for anyone else to figure in the manes-worship, holds good. Kapadia is of the opinion that the remnants in the earlier period were wiped out for 'fathers' in general.⁴⁵ We may conclude from this story the fact that in the earlier Vedic age the manes-worship was restricted to one's three immediate ancestors and that later, three further ones came to share some of it. The former rite visualizes a family-unity of four generations, the latter establishes some solidarity for a group of seven generations.

That the three ancestors beyond the great-grandfather had come to be incorporated into the family unity in some form is clear from the prescription of the *Abhyudayika Shraddha*. From our viewpoint we need not make much of the distinction which is drawn between the *Abhyudayika* and the *Vridhhi Shraddha*. The type of worship that is prescribed for this rite and the ancestors to whom it was and is offered is our only concern. Though this rite is prescribed in works dating from earlier than the sixth century B.C. the precise recipients of the worship are specified in later works like the *Puranas*. It appears that the rite came to be known more and more as a thanksgiving, or as a harbinger of joy, because the manes who were to be invoked on the occasion came to be called the *nandimukhapitris* or 'fathers of pleasant appearance', as opposed to other manes who were called *asrumukhas* or 'tearful ones'.⁴⁶ The first three ancestors were known as *asrumukha*. They had not yet advanced to that stage where they could feel happy and be treated as deities. The three ancestors beyond the great-grandfather were the *nandimukhapitris*, 'fathers of pleasant appearance', and were almost like deities. They were and are invoked at this rite. If the three immediate ancestors retain their connexion with their old family through annual rites, the three more remote ones keep it up through occasional but always joyful and auspicious occasions.

The very ancient rite of *mahapitriyajna* fails to get any mention in later normative literature. The late authority *Nirnaya-sindhu*,⁴⁷ which has governed the conduct of the orthodox Hindus for the last three centuries, prescribes a manes-rite to be observed on the full moon day of Bhadrapada, the day on which older authorities prescribed the performance of *mahapitriyajna*. The author states that Hemadri on the authority of the *Varahapurana*, the *Brahmapurana* and the *Markandeyapurana*, enjoins the performance of *Nandi Shraddha* on the full-moon day of Bhadrapada. From about the sixth century A.D. onwards there was thus an effort made to enjoin worship of the three ancestors beyond the great-grandfather as an annual fixture in the life of a householder. It does not appear that the effort bore fruit. It is not known that the manes-worship was or is at all observed by even the orthodox people. The same modern authority, Kamalakara, in the same *Nirnayasindhu*, after mentioning the various types of manes-rites prescribed or exhorted by different old authorities, ends by stating that only the four types of *parvana*, *ekoddishtha*, *vridhhi* and *sapindikarana* manes-rites are the principal ones. We have already remarked above the great decline in manes-worship that had set in which led Manu to opine that if *Parvana Shraddha*, that is the monthly rite offered on the fifteenth of the dark half of a lunar month, could not be performed, at least the rite should be observed once in every one of the three seasons, winter, summer and the monsoon. *Vridhhi Shraddha* of course could be expected to be observed in some form or the other as a part and parcel of some of the ceremonies. Thus it is observed even today in many castes in connexion with the marriage ceremonies. Among many castes, stamps of the principal agent's palm on the wall, or somewhere, are a regular feature of a marriage ceremony. These stamps are said to represent the manes. Among more orthodox and Brahmanic castes Brahmanic worship for the manes is observed more regularly. This worship is more like the worship of deities than of one's ancestors.

The funeral rites performed after a death are bound to be solemn and serene though sorrowful in their atmosphere. After cremation and the collection of the remnants of bones the rites intended to turn the deceased, who becomes a spirit immediately, into a 'Father' or a 'mane' are begun. The rite performed for this purpose having only the recently-deceased

person as its objective is significantly called *ekoddishtha* or 'meant-for-one rite'. It is enjoined that sixteen of these rites have to be performed, one every month, before the last rite of placing the recently-deceased in the rank of manes, of unifying him in the rice-balls, as it is literally called, can be performed. As P. V. Kane observes,⁴⁸ in Maharashtra today the more common practice is to perform all the rites before the thirteenth day of death, and to perform the final rite of deification or 'manesification' on the thirteenth day. We learn from Dr K. M. Kapadia that in Gujarat though the routine is similar, yet for twelve months every month some observance is held. We know that here and there in Maharashtra, too, the same is the case.

The thirteenth-day rites are marked by dinner for the kin and by distribution of corn, cloth and money to Brahmins and beggars. Their scale naturally depends on the wealth and status of the family of the deceased, but the factor of caste-status is not utterly insignificant. Here we like to draw our reader's attention to regional differences in Hindu culture. As will be noted below, joint family, as the extended family of India is generally called, in its pristine glory has flourished in Bengal. The Bengal law of inheritance and succession was tuned to the performance of funeral rites at least from the twelfth century A.D. onwards. The capacity to offer funeral oblations, the *shraddha*, in general is said to determine the position of an heir in the law of inheritance and succession, so that among contending parties, the one that can establish his right and duty to offer the funeral cakes to the deceased property-owner generally succeeds in getting the inheritance. In the rest of India, here Indo-Aryan India, one who claims to succeed has to take with the inheritance the duty of offering the funeral cakes. It is in keeping with this importance of the funeral rites or manes-worship that the observance of *shraddha* enters in literature as a motive. At least in two of his novels written in the third decade of the twentieth century, the great Bengali litterateur, Saratchandra Chatterjee, has used the *shraddha*, to be performed soon after the death of a person, as a pivot for the development of his story. In *Vipradasa*, he provides justification for the return of the self-reliant and masterful personality of Vipradasa to his brother and his home, which he had deserted under a vow not to return to it, in order that he may ask his rich brother to perform the funeral

obsequies of Vipradasa's wife, as he was himself not in a position to do. The same author in his novel, *Ganvanga*, has brought Ramesh, the young hero, back to his village, where some joint property of separated brothers forms the bone of contention and the ground for intensification of a family-feud, immediately after his father's demise to offer the funeral *shraddha* in a grand manner, requiring the co-operation of his relatives and friends. People are described as having come for the function from distant villages. Such is the grandeur and significance of funeral and perhaps of other *shraddhas* in Bengal even today. It appears to us that though some of the difference is due to the wealth of the zamindars, large-landed proprietors, there is a modicum of it—the significance and earnestness—which is the consequence of the law of inheritance and succession having been pivoted on the theory of religious benefit through the performance of *shraddha*.

Ancestor-worship typified by *shraddhas* may be said to be on an ideational plane, though in the serene atmosphere created by it there is the effect of actual representation through invocation of the three ascendants of the head of the family. This type of ancestor-worship, either in the elaborate form or in the most simple form of offering some food to the crows, and/or some uncooked food or fruit to Brahmins, has remained the standard type of Hindu (Indian) ancestor-worship throughout the ages till today.

Another and more concrete type of ancestor-worship with the help of images of the ancestors regularly erected in appropriate structures is known to have been practised by the Kshatriyas, the second order of Hindu society, at least from about the first century B.C. Though the headless statue of the great Kushan king, Kanishka, which is housed in a museum now, might or might not have been intended to be the focus of ancestor-worship, it is certain that the term *devakula*, meaning 'the abode of deity', was used in Kushan and other inscriptions in connexion with the structure built to house such images, where such statues and structures are also referred to.⁴⁹

It is not known how far earlier the custom of erecting statues to deceased rulers or great men of a dynasty prevailed, or if the Kushans were the first to introduce it. In early Buddhist literature, in *Mahaparinibbanasutta* for example, we are informed

of what is done when a sovereign king, chakravartin, dies. Nowhere in the account is the raising of a statue mentioned. Nor did Asoka raise any statue of the Buddha whom he adored. We know that he put up a column at the place of birth of the Buddha. It is in the dramas of Bhasa that we first encounter kingly statues as an important item of culture. A whole drama of his is styled 'Image' (*Pratima*). The play deals with the events connected with the demise of the Ikshvaku king, Dasaratha. One of his sons, Bharata, in whose favour Rama was obliged to renounce the kingdom, was away with his mother's people in a distant land. When he returns, on receiving the message of his father's illness, he sees on the outskirts of the capital, in a tall temple-like structure, not only the statues of his great-grandfather and grandfather but also that of Dasaratha, and thus gets the shocking news of his father's death. The way the reference is made to the statues, and the fact that the structure for housing them was as imposing as a temple, clearly imply that the practice of putting up statues for the three immediate ancestors of the reigning king was common at least in some of the dynasties.

In later times the practice seems to have continued in Rajasthan. Colonel Tod refers⁵⁰ to the statues of famous Rajput heroes seen by him at Mandor. In still later ages there is evidence of only a *chhatra*, umbrella, being raised in the name of famous heroes. It appears, however, from our investigation in Haveli Taluka of Poona District that among the Marathas, representing the old Kshatriya order, on the outskirts of a village there are sometimes effigies or mere stones called the 'Fathers' (*vadila* as they are called in Marathi), more often in the open and sometimes sheltered in a structure.

The funeral rites for the recently-deceased, intended to raise him to the level of the manes, are observed by the upper and well-to-do classes of society more or less in conformity with the rules of normative literature. The labouring and other classes, however, follow a very simple procedure. The manes-worship during the fortnight called the 'manes-half', *pitripaksha*, is, as observed above, offered by the Brahmanic and other classes in the standard form. It is noteworthy that this manes-half, or the fortnight dedicated to the manes, falls between 4 September and 7 October, varying according to the

limitations of the lunar calendar. In 1951 it began on 16 September and ended on 1 October; in 1952 beginning on 4 September it ended on the 18th of that month, in 1953 it lasted from 23 September to 7 October, and in 1954 from 13 to 26 September. The most important lunar day of the fortnight, the thirteenth after the full moon of Bhadrapada, fell on 29 September, 16 September, 5 October and 24 September respectively. It is seen that there is some nodality about the 'manes-half' tending to be near the time, when, owing to the movement of the earth, the sun appears to be near the middle point of its apparent southern course. As the directions stand in the standard almanacs of Banaras and other centres, the 'Fathers' or manes are invited to visit their homes during this fortnight and are sent away on the last day of the period, the dark fifteenth, which is called the all-Fathers day. On that day, most of the labouring and similar class people, offer some food to crows, in the name of their ancestors in general without specifying anyone.

The period of the year during which the sun's apparent course lies through the southern hemisphere early came to be associated with the *pitris*, 'Fathers' or manes. *Brihadaranyaka Upanishad* (VI, 2, 2) speaks of the two paths, *Devayana* and *Pitriyana*, i.e. the path of Gods and the path of the *pitris*, 'Fathers', without connecting them with the periods of northern course or southern course of the apparent motion of the sun. *Chhandogya Upanishad* (V, 10) connects the path of Gods, *devayana*, with the northern transit and the *pitriyana*, the path of the Fathers, with the southern transit, and further emphasizes the difference in the two paths and the different consequences of proceeding along them. The path of the Fathers, the period of the southern transit, is the path and the line which lead to future return to this earth, and hence are the doorway to the fall. This idea of two paths, their association with the northern and southern transits of the sun in its apparent motion, and the differential results accruing to the deceased are mentioned in almost identical phraseology in the *Bhagavad-gita* (VIII, 24-26). In the *Mahabharata* (VI, 114, 87-112) it is stated that when the great Kaurava fighter Bhishma was fatally wounded, a voice ringing through the air warned him that the time of the year being the period of the southern transit of the sun Bhishma could not afford to die. Bhishma

thereupon vowed to continue to live and did drag on till the onset of the northern transit.

We have already observed that the 'manes-half' was first mentioned in the *Puranas*, about the fourth to the sixth century A.D. Authentic mention of its prevalence or currency, however, cannot be dated earlier than the eleventh century A.D. Alberuni, who visited India in the first quarter of the eleventh century, has recorded that Indians of his days distributed alms during fifteen days of the lunar month Bhadrapada in the name of the 'Fathers', naming the whole period 'manes-half', *pitri-paksha*.⁵¹

In Gujarat and Maharashtra the next day after the end of the manes-half is dedicated to the tendance to be offered to one's mother's father. The day is not thus shown in the almanac current in the Panjab. And though the standard almanac published on behalf of the Kasi Hindu University does not mark the day as thus dedicated, the almanacs current in Rajasthan and the western parts of Uttar Pradesh prescribe a *shraddha* for the mother's father on the day. We are informed that both in Bihar and in Bengal the day is sacred to one's mother's father. When this practice started we have no means of knowing. This *shraddha* or funeral-worship of one's mother's father is not attested specifically in the old literature. We know from Yayati's story narrated in the *Mahabharata* that help from a daughter's son in sacred matters was represented as a normal occurrence.⁵² Manu positively states that there is no distinction between a son's son and a daughter's son and that a man is a grandfather equally through his daughter's as through his son's son. Hence the estate of a deceased person who leaves no son, or his son, but only a daughter's son, shall be the share of the daughter's son. A daughter's son thus inheriting his grandfather's property shall offer him funeral oblation.⁵³

Formally speaking, and as a conscious, current and modern practice this is the last day on which funeral-worship to ancestors with some cooked food is offered in a year. In the almanacs, the last day of manes-fortnight is actually described as the day of the sending away of the 'Fathers'. Yet customary tendance of the ancestors and concern for their welfare are evidenced in a number of festivals and in some sport till the actual beginning of the northern transit of the sun; and the last offering of some gifts to Brahmins in the name of the

ancestors is made on the *akshayyatritya*, the third day of the bright half of the lunar month of Vaishakha, March-April.

On the full-moon day of Asvin, October, according to the instructions in the almanacs, a light has to be raised on high and it is called *akashdipa* or 'sky-light'. Strictly speaking it has to be kept for a whole month, in the middle part of which intervenes the 'feast of lamps', *divali*. In *Nirnayasindhu*, the precise nature of the lantern which must have eight sides is described.⁵⁴ In Bengal, Bihar and Uttar Pradesh the practice of raising on high a specially prepared lantern, with a lamp burning in it, is attested, and in Maharashtra the author knows the lantern to be of the prescribed pattern. Nowadays it is rarely that the lamp is put up on the full-moon day of Asvin or kept for a whole month. In Maharashtra, and probably in the other Indo-Aryan areas too, many people put it up during the feast of lamps. The scriptural *raison d'être* for this practice is to please god Vishnu; but we have no doubt in our mind that its purpose, forgotten for centuries, or lost in the unremembered past, is to enable the 'Fathers' who had returned to their earthly homes to reach their heavenly abode. In the formula to be repeated, both the 'Fathers' and the unredeemed dead are invoked.

The complex festival known generically as the 'feast of lamps', *divali*, in the celebration of which Akbar used to participate, and whose existence had been noted by Alberuni about five centuries earlier,⁵⁵ has a number of features which are concerned with the welfare and return to their abode of the 'Fathers'. The festival starts with the placing of a lighted lamp, facing south, in the evening in front of one's house. In a Hindu household, with the current belief about the south being the quarter of the 'Fathers' and of the god of Death, it is ordinarily anathema to front a lighted lamp to the south. In the almanacs the placing of a south-facing lamp in the evening of the dark thirteenth after the full moon of Asvin is prescribed as a prophylactic against premature death. For the south-facing light pleases the god of Death. From the next day, for three evenings, lights are put up everywhere in a house and a row of them in front. As the current practice goes—it is attested as early as *Skandapurana*, c. seventh century A.D.—people consider it to be a mere joyous practice without any significance. However, in the *Brahmapurana*, as referred to

in *Nirnayasindhu*, the lighting of lamps on the fourteenth is declared to free a householder from his duties regarding the path of the god of Death, and in the *Lingapurana*, as represented in the same work, a householder is enjoined to dine on the vegetable preparation made out of the leaves of *udida* plant. Now *udid* or black gram is a pulse which, like sesamum, is peculiarly favoured as food for the manes. In the Kasi almanac without the indication of its source, a verse is quoted, which clenches the issue, and positively connects the celebration of the dark fifteenth with the welfare of the 'Fathers'. It prescribes that people should in the latter part of the night show the way to the 'Fathers' by holding lighted torches in their hands. Thus one month after the formal dispersal or leave-taking of the 'Fathers' they are helped to find their path correctly by the holding of lighted lamps and torches on high or otherwise.

In Gujarat and Maharashtra at least, exactly a lunar month from the first of the bright half of Kartik, what is called the feast of lamps of the Gods, *deva divali*, is celebrated.

The 'Fathers' are finally laid to rest in their world of peace only on the day of the winter solstice, the sun's transit in the sign of the zodiac called *makara*. The festival of this day, being based on the sun, always falls on the thirteenth or fourteenth of January. In the almanacs the day is also known as the transit famous for sesamum. Sesamum in all forms is the ruling sweet and food of the day. It is distributed among friends and acquaintances. Lamps, burning sesamum oil, have to be lighted in temples dedicated to the god Shiva.

Another observance connected with this day is almost universal over Indo-Aryan India and has passed for an exhilarating sport. People fly kites of coloured paper and indulge in fights between their flying kites from early in the morning to late in the afternoon. What is significant is that whatever materials are left over will be destroyed next day and no one will touch it thereafter till the manes-fortnight next year. Though the gusto with which kite-flying in bulk and their fighting is marked on the transit day it really starts, at least in Maharashtra, immediately after the manes-fortnight, or at the latest, about a fortnight thereafter, we are inclined, in view of this peculiarity and the connexion with the transit day, to think that kite-flying is another aid to the 'Fathers'

to depart to their abode and be with the sun in its northern course.

We may conclude that the ancestor-worship of the Indo-European age that developed in India during about two thousand years and that has continued to be the pattern for about thirteen hundred years is very different from all other ancestor-worship in its content, extent and time-spread. The close connexion which has subsisted between it and the family organization has sustained the Indian family unit.

It is clear from the foregoing statement about the 'path of the Fathers' that before the eighth century B.C. the *pitrīs* abode was believed to be reached by the recently-deceased if he managed to die in the six months of the northern apparent motion of the sun. The abode may be specified in the description given of it in even earlier literature of the Vedas and the Brahmanas. A. B. Keith has observed: '... even in the Brahmanas among speculation of various sorts, it is often said that men obtain unity with the sun, which clearly means that they go to dwell in the heaven of the sun, where are the Fathers, the Gods, and above all Yama (the God of death).'⁵⁶ In *Manusmṛiti* (IX, 137 and III, 284) this belief of the residence of the 'Fathers' in the abode of the sun is referred to as the privilege of the great-grandfathers only. A man's connexion with his son's son's son is based on the belief that he enters the world of the sun, the 'Fathers' appropriate abode, only on the birth of a great-grandson. With the birth of a great-grandson one is assured of one's self being the starting point of the annual *shraddhas*. It is on the ground of this belief, and on that of the capacity of funeral oblation not extending beyond the great-grandson, that Manu supports the descent of property up to, and including, the fourth person from the owner. The tenacity and continuity of the belief in the importance of a great-grandson are testified in recent and contemporary practice to some extent at least all over India. In some parts of Uttar Pradesh people celebrate the event of the birth of a great-grandson only with the usual paraphernalia, in others we are informed that a small golden ladder is ceremonially presented to a Brahmin by the person who is fortunate enough to have a great-grandson born to him. Herein we recognize the continuity of the belief recorded in *Manusmṛiti* referred to above. And Abhayatilakagani, commenting in the

fourteenth century A.D. on the word *atinapttri*, points out that people do show joy at the birth of a great-grandson.⁵⁷

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50. *Annals and Antiquities of Rajasthan*, vol. II, pp. 842-4. 51. Sachau, E., *Alberuni's India*, vol. II, pp. 180, 185. 52. *Mbh.*, I, 147, 6. 53. *Manusmriti*, IX, 132, 133-4, 136, 139. 54. *Nirayasinidhu*, p. 195. 55. Sachau, op. cit., vol. II, p. 182. 56. Keith, A. B., *The Religion and Philosophy of the Veda and Upanishads* (1925), p. 407. 57. Hemacandra's *Dvyasrayakavya* (Bombay Sanskrit Series), vol. I, p. 113.

CHAPTER V

IN INDO-ARYAN CULTURE—II

TAKING up the thread of the study of the family-unit from where we left it we may state that by 500 B.C. the existence of the extended family-unit of four generations was not the only current practice. Baudhayana in his *Dharmasutra*¹ specifies two unities in connexion with hereditary rights, whereas Manu, in his *Manusmṛiti*,² which, in its present form, is at least six to eight centuries later, still maintains only one such unity. Manu states that a funeral oblation is offered to three and that these three, and the fourth offerer, have a connexion and hence hereditary rights among themselves. As the fifth has no connexion through funeral oblations he does not matter in affairs connected with the transmission of property. Though to three remoter ancestors one has to pour libations of water and also wipings of the funeral oblation this type of religious tendance does not create hereditary rights between the offerer, who would be the seventh person, and his six ascendants. Baudhayana recognizes the unity of seven generations, three ascendants, ego, and three descendants and calls them *sapindas* but states that among these *sapindas* the father, the son and the son's son are 'sharers of an undivided *daya*'. The sharers of divided *daya*, i.e. those beyond the unity of three generations, according to Baudhayana, were called *sakulyas*. We may state Baudhayana's view as distinguishing two units within the larger unity of seven generations which was designated by the term *sapindas* by him and by Manu³ in connexion with marital and pollutional regulation. Baudhayana has not specified the degrees of relationship required to be avoided in marriage and his rule⁴ regarding death-impurity harmonizes with his view of *sapinda* relationship stated above. Unity of three generations, which Baudhayana considered to be the unit of the family, is to be called the *avibhaktadaya sapindas*, the undivided *sapindas* or *sapindas* with mutual hereditary rights of primary and *per se* variety, presumably because they generally lived in one household contributing to the common stock, and utilizing the common resources. Descendants to the seventh generation, or rather up to one's own generation

of one's four ancestors beyond the grandfather, or descendants below one's grandson are to be known as *vibhaktadaya sapindas* or *sapindas* of divided hereditary interests. Anyone comprised within this wider circle could inherit the property of the deceased *propositus* only on failure of relatives within the first circle. Manu, on the other hand, in respect of hereditary rights calls the unity of four generations, represented by one's immediate three ancestors and oneself, by the term *sapindas*. And they it is that are entitled to inherit the property of a deceased person in accordance with, and in order of, nearness of their connexion with him.

Manu's designation of the unit of four generations as *sapindas* is unique. No other authority seems to have taken that view. Nay, Manu himself, as stated above, adopts the usual view about the extent of *sapinda* circle in basing his regulation about death-impurity. And *Sutra* writers in general,⁵ *Grihya* as well as *Dharma*, are declared to have propounded the view that within the circle of *sapindas* formed by persons related within seven generations, death-impurity shall be observed for ten days. The *sapinda*-kinship understood in such contexts was, and is, strictly agnatic.

Of the many terms used to designate various circles of kin, *sapinda* and *sakulya* occur together for the first time in *Baudhayana Dharmasutra*. Of these *sapinda* seems to have a greater antiquity as it is used by the grammarian Panini (IV, 1, 152 and 165) in connexion with his technical definition of *gotra*. There the word means a collateral ascendant.

According to Baudhayana, the circle of kin, within seven generations and beyond the three generations-unity, is the *sakulya*-unit. And to persons within that circle inheritance passed, on failure of relatives within three generations. Manu too recognizes the right of inheritance and succession of *sakulyas* as next to that of the *sapindas*; but his *sakulyas* are only defined in regard to the start of that circle, their outermost extent being not mentioned. Yajnavalkya⁶ (c. A.D. 300) has used the term *sakulya* in connexion with his prescription about the right to give away a girl in marriage. The father, the father's father or the brother of a girl, have the right in the order stated. In the absence of these a *sakulya* relative, whereafter the mother, can have the right. It is clear from the context that *sakulya* must be a fairly near relative, one descended in

the collateral line of the father or the grandfather, and not one who is related beyond the fourth generation of common ancestry. In regard to the observance of death-impurity, the *sapindas*, who are all enjoined to observe it for ten days, are all persons whose common ancestor is their sixth ascendant and are, therefore, all persons related within seven generations agnatically considered.⁷ There is, however, a quotation made by Vijnanesvara in his comment on Yajnavalkya's text (III, 18), traced to *Parasarasamriti*⁸ which still retains some distinction between *sapindas* of Manu's inheritance law and the outer *sapindas*. In the law of inheritance and succession the circle of *sakulyas* is specifically mentioned by Jimutavahana (twelfth century A.D.) whose law has been authoritative in Bengal. But he has followed Manu and described the unit of four generations, ego with his three ascendants or three descendants, as the *sapindas*, if we leave out the implications of his doctrine of religious efficacy in the determination of the actual order of heirs. Remoter three ascendants, or three descendants, form the unit of *sakulyas*. The three descendants of ego, beginning with great-grandson's son, inherit ego's property when there is no lineal descendant of his up to and including great-grandson, and no lineal descendant within three generations of any of his three ascendants. On failure of these, descendants of three generations of each of the three ascendants, beyond the great-grandfather, inherit. Thus represented, the group of relatives called *sakulyas* appears to be a unity of ten generations; but in reality, and as expressly stated by Jimutavahana, for him it is one of seven generations only.⁹

It is noteworthy that in the *Grihya* literature¹⁰ relatives within ten generations are enjoined to pour libations of water to a deceased person. But they are called there *sodaka*, which is the same expression as *samanodaka*, 'persons sharing the same water libation'. The category and circle of *samanodakas* which is mentioned by Manu¹¹ in connexion with the observance of death-impurity is defined as comprising all who bear the same name or whose common descent is known. He has not mentioned the period of impurity that has to be kept by the category of *samanodakas*, but it can be inferred from the context that it lasted for a night flanked by two days.¹²

The earliest mention of the group of relatives, later regularly known as *samanodakas*, is met with in *Paraskara Grihyasutra* (III,

10, 16) where relatives within ten generations of a deceased person are called his *sodakas* and are asked to pour libations of water for him. In the *Dharmasutras* generally outside the group of *sapindas*, formed by persons related within seven generations, there are only *asapindas* and *yonisambandhas*, 'persons related through the females'. The period of impurity laid down for *asapindas*, non-*sapinda* relatives, is the same as that which we have inferred to have been Manu's regulation for *samanodakas*. *Vasishtha Dharmasutra* (XVII, 79) recognizes common sharing of *udaka*, water libation, as a claim to inheritance next after the unity of *pinda* or oblation, but superior to that of identity of *gotra*.

From references to the relatives called *samanodakas* in the works already cited it is clear that the category designated those persons who were outside the circle of *sapindas*, understanding the term to comprise relatives within seven generations. The outer extent of the group called *asapindas* is, however, not definitized in any of the works which speak of them in regard to the rules of death-impurity.

From the injunction of *Paraskara Grihyasutra*, the *sodakas* are persons related within ten generations. According to *Manusmriti*, all persons who are able to know by their names and their births that they are commonly descended are to be looked upon as *samanodakas*. 'The relationship of *samanodaka* ends when birth in the family and name are no longer known.'¹³ Yajnavalkya (III, 1-4, 18) prescribes the pouring of water libations by certain relatives for a deceased person, and Vijnanesvara, the great jurist of the end of the eleventh century, has distinguished two sets of relatives in his comment on the text, namely the *sapindas* and the *samanodakas*. In his rules of inheritance and succession Yajnavalkya has not mentioned the categories of either *sapindas* or *samanodakas*. But Vijnanesvara in his comment has broken up Yajnavalkya's group of *gotrajas* into *sapindas*, and *samanodakas*. He declares that *samanodakas* comprise males seven generations beyond the *sapindas*, or all males beyond *sapindas* who are either related within fourteen generations, or whose birth and name in the same family as that of the deceased are known. He further quotes a text ascribed to Brihanmanu which fixes the circle of *samanodakas* at the fourteenth generation, i.e. all those who are descended from a common ancestor who is the thirteenth

ascendant, are *samanodakas*. According to *Agnipurana* (c. eighth century A.D.) the relationship of *samanodaka* ceases in the fourteenth generation, or it may extend as far as name or birth can be traced. Relationship beyond this is called *gotra*.¹⁴

It is clear that there was an old tendency to base *samanodaka* relationship on the actuality of common descent which was known and proved. With the family name, or surname, coming into vogue the existence of a common name as a test of actual common descent was thought to be inconvenient, and a limit in terms of generations which cannot but be actual was sought to be set. The old rule of Paraskara should have been renewed and applied to demarcate the group. But in the intervening period a new category of relatives called *sakulyas* had come to be specified for certain purposes, though its extent was not quite well defined. The ritual of ancestor-worship too had become elaborate and expanded through additions. In this connexion we should like to point out that according to Manu the number of ancestors entitled to receive the wipings of funeral oblations is not fixed. It is in the *Puranas*, *Matsyapurana* (fourth century A.D.), that the three remoter ancestors beyond the great-grandfather are specified as the recipients of the wipings. One question repeatedly discussed and settled by various authorities in connexion with the observance of the annual ancestor-worship, which we have refrained from writing about, is what is to be done if one or the other of the three immediate ancestors entitled to receive the worship is alive. In the case of the great-grandfather being alive, under three different circumstances the authorities were agreed that the funeral oblations were to be offered to the three ancestors of one's great-grandfather. Under the special circumstance of the great-grandfather being alive, one offered funeral oblations to one's fourth, fifth and sixth ancestor. And if according to the ritual one had to offer the wiping to three further ancestors one got connected with one's ninth ascendant through funeral oblations.¹⁵ The unity of ten generations had thus come to be one based on the sameness of *pinda* offering. Thus in one way people within ten generations from the common ancestor could be looked upon as *sapindas* in place of the regular unity of seven generations properly so-called. The circle of ten generations could not be designated *samanodaka* without doing violence to the current notion of closer

relationship that might be established among such persons in this manner.

We may further mention in this connexion that a text attributed to Sumantu lays down that among people connected by blood and worship, offering of funeral oblations ceases after the third person, the descent of inheritance after the seventh person, and the severance of death-impurity can be brought about after the tenth.¹⁶ And the current orthodox practice in Maharashtra testifies to the unity of ten generations. In spite of the rules about impurity it has been the practice to observe pollution on the death of any person having the same surname or family name, though the deceased may not have been related within ten generations, if the ceremony of what is called the severance of the tie is not effected. When the inconvenience is greatly felt people gather together in a temple and effect what is popularly called 'severance of generations', i.e. blood connexion. Thereafter those who were observing impurity for ten days have to observe it only for three and so on. There is a belief that the person who actually repeats the formula will leave no progeny. Generally, therefore, it was possible to effect severance only when an old bachelor of the appropriate family name was available. Quite reasonably a group of persons related within ten generations should be called *sakulya*, 'of the same family', and not *samanodaka*, 'having the same water libation'. This is why the circle of persons related within ten generations could not be designated *samanodakas*. But it is not quite clear how the unity of thirteen generations, which according to some of the early *Puranas* defines this group, was arrived at. It must be stated here that extensions of the unity of three, four or seven have been a feature of the social history of India. *Sapindas* who were first a group of persons descended from a common ancestor, who was the third ascendant, came later on to be a group of persons descended from a common sixth ascendant. *Samanodakas* on the same analogy could be a group of persons whose common ancestor was the twelfth ascendant through one extension of the *sapinda*-extent.

Beyond the circle of *samanodakas* lay that of the *gotrajas* or *sagotras*, persons either born in or belonging to the same *gotra*. *Gotra*¹⁷ is an exogamous unit of the Brahmanic section of Hindu society. The etymology of the word is doubtful but its

antiquity is great. And what is even more significant the group-unity of persons having the same *gotra*, whatever the meaning of the term, is almost equally ancient. The term occurs in the Vedas without the specified meaning of the clan, sept or even the family. But in *Chhandogya Upanishad* (IV, 4), in the story of the extraordinary lad Satyakama Jabala, *gotra* clearly signifies the surname or the family name, which one inherited from one's father. The standard *gotras* as analysed or fixed by Baudhayana might or might not have been all family names of proved biological descent. But clearly they were not all names of schools of religious lore or practice. And it was almost a contemporary of Baudhayana, the grammarian, Panini (IV, 1, 162) who used the word *gotra* for technical definition in a manner which to us shows that he took a *gotra* to be a family name given to the second and further descendants of a man. It was some centuries before Baudhayana and Panini that *Tandya Brahmana* (XVIII, 2, 12) and *Kaushitaki Brahmana* (XXV, 15) prescribed some obligations to be observed by a Brahmin in respect of a *sagotra* or a *samanagotra* person, i.e. one having the same *gotra*. It is in keeping with this antiquity of the group-unity of *sagotras* that we find both *Gautama* and *Apastamba Dharmasutras*¹⁸ prohibiting a person performing a *shraddha*, from inviting to the dinner Brahmins belonging to the same *gotra* as that of the celebrant. All persons related within twenty-one generations are declared to be *sagotras* in the current texts on the subject, though in actual practice owing to the fact of the *gotra* being a unilateral grouping inherited from father to son there is no need to delimit or define the group, nor is it ever done. That is why the ritual severance referred to above is resorted to.

In the scheme of death-impurity one had, and has, to observe impurity on the death of a *sagotra* person only for a day. And in the scheme of inheritance of property *gotrajas*, who are not to be distinguished from *sagotras*, according to Yajnavalkya,¹⁹ succeed on failure of heirs up to, and including, the brother's sons of a deceased person. But his great commentator makes it clear that by *gotraja* Yajnavalkya meant two varieties of *sapindas*, *sagotra-sapindas*, 'persons related within seven generations and having the same *gotra*', and *bhinnagotrasapindas*, 'persons related within seven generations and belonging to another *gotra*'. These latter who can technically be described

as cognates are not specifically enumerated; and those that are entitled to inheritance are called *bandhus*, and are brought in after a large circle of other agnatic males. After *sagotra-sapindas*, i.e. agnatic males within certain degrees of relationship, or on failure of them, come what are called the *samano-dakas*. The circle of *sapindas* encompasses certain descendants of the sixth ascendant of the deceased. Seven further ascendants, one after another, with some of the descendants of each, are entitled to inherit on failure of the nearer agnates. If there is none in this wide circle who can inherit, then one's own male cognates, one's father's male cognates and one's mother's male cognates, can take the estate in that order. One's cognates are one's father's sister's son, mother's brother's son and mother's sister's son. Similarly the male cognates of one's father and mother are the sons of their father's sister, mother's brother and mother's sister.

As Kapadia has very ably stated, Vijnanesvara is interested in the nuclear family of the deceased in his rules for the devolution of property. He therefore lays down that the son, and in his absence, the son's son shall take the property of the deceased. The unity which Vijnanesvara consistently applies in his law as pointed out by Kapadia is of three generations. It is the same that Baudhayana, about sixteen hundred years before him, called *avibhaktadaya sapindas*, '*sapindas* whose hereditary rights are not separate or distinct'. Yajnavalkya,²⁰ writing in the third century A.D. calls this group of the ego and his two ascendants or his two descendants *avibhaktakutumba*, 'undivided or joint family'. And it is this latter term that is the current coin. It describes, very well indeed, the idea of the joint household, joint in estate, food and religious observance. In this connexion it is well to remember what we said earlier in the book about the nomenclature of the third and further ascendants in the Indo-Aryan languages. We have pointed out, for example, the fact that in Marathi kinship terminology the fifth ascendant is called by a term which indicates that the relationship is broken there. A group-unity of his four ascendants can be attained by a single extension of the group-unity of the ego and his two ascendants. The second ascendant, who is the grandfather of the ego, was, in his youth, as the grandson of the fourth ascendant, a member of the joint household of the fourth ascendant of the ego. Thus

through the connecting link of the grandfather of the ego a group-unity of the ego with his grandfather's grandfather is easily established.

In colloquial Marathi it is only the relation between a grandfather and a grandson that is used for bringing out connexion or giving admonition for proper behaviour. Thus *ajas natu sikavito*, 'a grandson teaches a grandfather', is an expression used to describe a topsy-turvy situation, and the expression *kuberaca natu* or *sukalasetica natu* refers to an extravagant person because he is said to behave as if he were the grandson of a rich grandfather. In the latter idiom the right of inheritance of the grandson is clearly brought out. This is the popular and terminological treatment of the ascendant generations beyond the father in a culture, in the language of which the terms for the fourth and further ascendants are derived from the term for the great-grandfather. In most other Indo-Aryan languages we find the terms for the great-grandfather and further ascendants coined from the term for the grandfather. It is therefore not without meaning that we come across a Panjabi saying which runs, *pad piya te sak gaya*, 'when *pad* occurs relationship snaps'. In Panjabi a great-grandfather is called *pad dada*, *dada* being grandfather. According to the proverb the relationship has ceased to function with the great-grandfather; and we are reliably informed that in some parts of the Panjab it was customary to omit the designation of the great-grandfather because it reminded people of the severance of relationship.

The specification of persons with reference to their grandfathers is, we think, an indication that the current idea of group-unity envisages only three generations. When before the third century B.C. the grammarian Panini declared, though for technical purposes, the formation of a term from the name of the grandfather to denote a group from the grandson onwards, we may take it that he was led to this idea by the living unity of three generations in his experience. It is a far cry from Panini to Sudraka both in time and space. The latter, a dramatist who wrote the play *Mricchakatika* about the third or the fourth century A.D., on at least three occasions confined his specification of descendants or ascendants only to two generations. When Vasantasena's mother is asked by the judge to tell the court where her daughter had gone she specifies

the residence of Charudatta by referring to him as the grandson of Vinayadatta, and the son of Sagaradatta. When Charudatta is being taken to the gallows, he is similarly announced, so that the people may identify him. When Charudatta, the Brahmin's righteous indignation having been aroused, pronounces a curse on the reigning king, he includes in his curse the king's sons and grandsons only.²¹ Dandin, a writer of the middle of the seventh century A.D., giving his genealogy²² traces it back to one Narayana who was the father of Bharavi, the great-grandfather of Dandin. Bana, another author who lived in the seventh century A.D., gives his genealogy as beginning with his fourth ascendant who was one Kubera by name. Arthapati was his grandfather and Chitrabhanu his father.²³ Bhavabhuti's specification of himself in the eighth century is even more significant as he was a Brahmin who was not only proud of his learning and ability but also of his family and Brahminhood. In *Mahaviracarita* (Act V) he describes himself as the fifth in descent from a famous scion of the Udumbara family by name Mahakavi, and as the grandson of Bhattagopala, and the son of Nilakantha. The commentator explains the expression 'fifth in descent' to mean grandson's grandson. Thus Mahakavi was the fourth ascendant of Bhavabhuti. To confine one's genealogy to the fourth ascendant for a Brahmin of Bhavabhuti's type meant that the living unity was of three generations. It is in keeping with the actuality of the group-unity of three generations that Bhavabhuti specifies his grandfather in this play, and in *Malatimadhava* (Act I) he refers to himself as the grandson of Bhattagopala, without mentioning any of the further ascendants. All this to our thinking bespeaks the reality of the group-unity of three generations.

In the absence of the lineal descendants the order of heirs is in accordance with the natural affection of the deceased as may be presumed from the nature of the household. Vijñānesvara has in view a unit of three generations; and follows it through and through. It is: (1) widow of the deceased, (2) daughter: (a) unmarried, (b) married: (i) poor, (ii) wealthy, (3) daughter's son, (4) mother, (5) father, (6) brother, (7) brother's son, (8) father's mother, (9) father's father, (10) father's brother and (11) father's brother's son. It will be seen that after the first unit of the two immediate descendants of the deceased come in the remaining members of his nuclear

household, namely his widow and daughter. The daughter's son stepping in on failure of these is a special case. From of old a daughter's son has been compared with a son's son.²⁴ As we have noted above there is a special funeral-offerings day in the calendar commemorating this close connexion. In the ritual of manes-worship it is specially exhorted that the daughter's son of a deceased should be fed on that occasion.²⁵ The relatives so far specified exhaust one's immediate household.

The deceased was a member of his father's household too. In the terminology of American sociologists, while the first group of heirs comprised the family of procreation with appropriate extension, the second represents his family of orientation with similar extension. The second group of prospective heirs should consist of the members of his father's household beginning, because of natural affection and justice, with his mother. The group must end with the brother's son of the deceased. Then begins the third household of which the deceased must have been a junior member long ago as a grandson of his father's father. Again the third group for the same reasons begins with the father's mother and ends with the father's brother's son. Thus in each group or circle of prospective heirs the inheritance descends two steps below the centre or the starting point of the household, because in actual life the family-unit was one of three generations, the unit that was declared by Baudhayana about the fifth century B.C. to be composed of members between whom the inheritance was undivided. They formed what is called the joint family. Similarly the inheritance travels till the household of the sixth ascendant is exhausted. This terminates the circle of *sapindas*.

It is seen that excepting the daughter and the daughter's son only agnates, and that too, excepting for the wives of some of the starting-point-males of the seven households, only the males, are entitled to inherit. The importance of the agnatic nature of the grouping and of keeping its property within that group is well stressed, consistent with the operation of the principle of natural affection prevailing within the nuclear family.

If this very wide circle of relatives fails to produce any heir then *samanodakas* are entitled to inherit. We take it that the seven households, beginning with that of the seventh ascendant which come in, claim the inheritance upto the fourteenth

descendant in each case. It is only when this vast group fails to produce an agnatic male heir, that the property can devolve on the cognatic males specified above. We may conclude that cognates, excepting one's daughter and daughter's son, had precious little chance of getting one's property. Though theoretically Vijnanesvara favours bilateralism in kinship, in practice his scheme nullifies it.

Vijnanesvara's junior, Jimutavahana, before the middle of the twelfth century, fixed the law of inheritance for Bengal on a much different pattern. The pattern chosen by Jimutavahana seems not only to have been an ancient one but, also to have, in parts at least, continued to be the same, and in part to have further developed on the same lines in the eastern part of India. Jimutavahana's fundamental unity is that of four generations as propounded by Manu (IX 137). It is to be noted that in Kautilya's *Arthashastra* (III, 5) too, the same unity of four generations, and for the identical reason of continuity of funeral oblations, is mentioned. In this connexion the mention of not only grandsons but also great-grandsons as the beneficiaries of good deeds and advice made by Asoka in his edicts²⁶ deserves notice. Each household in this scheme beginning with that of the deceased and ending with that of the third ascendant comprises four generations, and heirs are sought as far as the fourth man in each household.²⁷

In the order of heirs under the law given by Jimutavahana there is only one significant variation in the first group of *sapindas* from that of Vijnanesvara's law. And that is that Jimutavahana brings in the sister's son as an heir among the *sapindas*, whereas, he never figures in the scheme of Vijnanesvara. Even when Nilakantha, some centuries after Vijnanesvara, reinstates the sister of the deceased person as an heir in her proper kinship status, he refuses to introduce her son in the group of heirs. As Kapadia²⁸ has appropriately explained, this aversion to the sister's son as a possible heir to the property of a deceased person must have been due to the Aryan or Brahmanic prejudice against the practices of the mother-right people they knew. As a matter of fact, in actual practice, as recorded by Steele²⁹ in the first quarter of the nineteenth century, a sister's son was an heir among some of the Poona and Satara castes. Jimutavahana basing his law of devolution of property on the principle of the capacity to offer religious

or funeral benefit, could not but place him fifteenth in the list and immediately after the brother's grandson. According to Yajñavalkya (III, 1-4, 18) water libations are to be offered optionally to one's sister's son; and according to Kautilya³⁰ the tie of affection and expectation between a man and his sister's son was so keen that the one was the natural supporter of the other in straitened circumstances.

Failing an heir from among the *sapindas*, whose circle is much larger than that conceived of in the scheme of Vijnanesvara, the inheritance falls to the next group, that of *sakulyas*. *Sakulyas*, as already pointed out, comprised persons related within ten generations and must mean any of the descendants of the three ascendants above the sixth. But Jimutavahana³¹ has made it abundantly clear that he uses the word *sakulya* in the same sense as the word *sapinda* in relation to death-impurity. His *sakulyas* thus are the *sakulyas* of Baudhayana, a unity of seven generations. In Jimutavahana's law of the devolution of property the circles or groups of heirs in their order are: (1) the four-generations household of the deceased, (2) the unit centred round the four-generations household of the father of the deceased, (3) identical unit with the father's father as the starting point, (4) the father's father's father's household, or the four-generations household of the third ascendant of the deceased. The last ended with the second agnatic cousin of the deceased. The daughter's sons and sister's sons presumably are included in their proper places in all the households, and the daughter in that of the deceased.

Failing an heir in this group of *sapindas* the *sakulyas* inherit. But if the descent of property in each case where it begins, as for example with the sixth ascendant, ends with the third descendant of the starting point of the household, the agnatic male representing the third person would be of the generation of the great-grandfather of the deceased. Hence this group of heirs in so far as the probability of the property resting there is concerned cannot be significantly as large as that of the *sapindas* in the scheme of Vijnanesvara. The next group of heirs formed by *samanodakas*, relatives within fourteen generations, has some chance of receiving the property. Failing even them the *gotrajas*, not specifically delimited by Jimutavahana, are entitled to inherit.

We must now point out another speciality of the law favoured by Jimutavahana, which is really a counterpart of the position accorded to the sister's son. It is that the mother's brother comes in as an heir among the *sapindas*, it would appear, immediately after the agnatic second cousin of the deceased.³² The *bandhus* of the deceased follow his mother's brother, and those of his father and of his mother come after them. But all of these, being included under *sapindas* because of their capacity to offer oblations to some of those to whom the deceased was bound to offer, precede the next group, namely of *sakulyas*. Thus, what Vijnanesvara failed to do with his avowed intention of implementation of biological kinship, Jimutavahana, with his insistence on the capacity for spiritual benefit as the test of hereditary right, was able to achieve.

The differences in the systems of law sponsored by the two jurists within such a short interval of time, so far pointed out, are not very significant from our viewpoint of the organization and functioning of family and kin. But there are others which are neither sanctioned by antiquity, nor are superficial, which now claim our attention. If the unity of three generations was one old pattern as against that of the unity of four generations, the nature of the property-rights which the members of a joint household had was not differentiated in the ancient pattern. Even those lawgivers who did not accede exclusive and supreme authority to the father in the matter of ancestral property never contemplated the son's share in it as so specific and determined by birth that he was a co-sharer with his father, and therefore could demand partition of his share of the ancestral property even against the will of the father.³³ But Vijnanesvara propounded the doctrine of the son's right in the family property in such a manner, and insisted on his right to ask for partition so absolutely, that the three generations unity of the *avibhaktakutumba* under his law is described as a co-parcenary. None of the co-parceners, either father, son or grandson, can claim during the continuance of the joint family that he is the owner of a definite share, for anyone's share is fluctuating, being capable of being enlarged through death or reduced through birth. But the right to demand partition and thereby to become the owner of a property, which is a particular share of the joint property, belongs to anyone of the co-parceners. The division

of course is *per stirpes* and not *per capita*. None of the co-parceners, except the father under certain circumstances, can, it logically follows, alienate his undivided interest by gift, sale or mortgage without the consent of the other co-parceners. But modern court-made law allows this to be done.³⁴

In the Bengal law of the devolution of property stabilized by Jimutavahana, sons do not acquire any interest in ancestral property by birth. They acquire rights to such property when it becomes hereditary at the demise of the father. While the father is alive, the sons, not having acquired any right to the property held by him, cannot demand any partition. The family unit of four generations conceived by Jimutavahana is a corporate body in idea and a patriarchal family in practice during the lifetime of the father. After the father's demise, if either brothers or uncles and nephews continue to live joint, they form co-parcenarys. Their household is no longer the patriarchal family of the father. At this stage the appropriate co-parceners, i.e. either brother and brother or uncle and nephew or cousin and cousin can demand partition and thus end the co-parcenary. The share of every co-parcener is definite. If one of the co-parceners dies without male issue his share in the co-parcenary does not descend to others by survivorship if he leaves a widow. The widow becomes a co-parcener along with her husband's brothers, uncles or nephews or cousins as the case may be. Kane opines that any co-parcener can sell, mortgage or give away or will his share.³⁵ Evidently a widow being a co-parcener cannot do so as women take an estate only with a life interest under the law of Jimutavahana. As a matter of fact, it is one of the significant differences between Vijnanesvara and Jimutavahana about the property law that, whereas Vijnanesvara thinks of property as absolute possession, whether by a male or a female, and an end in itself for an individual, Jimutavahana looks upon it as a trust held for the corporate unit of the family, and holds consequently that though the father in his absolute right may deal with it as if it was his personal and absolute property, no female is entitled to treat it in any other manner than the one meant for usufruct.³⁶

At this stage it is necessary to look briefly at the nature of property in Indo-Aryan society. Land and buildings were the main forms of immovable and ancestral property among the upper classes. Among the traders the goodwill of the shop

and the concern, and among them and craftsmen, the tools of production in so far as they were fixed, immovable and in other ways, were the only ancestral forms of property. Among the movable types of property ornaments were the most important, almost the sole, item. Since the establishment of political society and the development of some administrative machinery which occurred very early in the history of Indian society some paid officers must have been a feature. Such salaries, emoluments of Brahmins and priests, and wages of labourers and others are individual acquisitions. And they are also early represented in this society. According to the payment schedule in Kautilya's *Arthashastra*, individual payments varied from 60 to 24,000 coins (*panas*).³⁷ It is in keeping with this early economic development which created a fair volume of a new species of property, consisting of the acquisitions of individual labour, skill, service or learning, that there should arise the concept of self-acquired property in contrast with ancestral property coming down from previous generations.

Vasishtha Dharmasutra about the fourth century B.C. and *Gautama Dharmasutra* about a century before it, laid down the law about the devolution of self-acquired property at the time of partition.³⁸ That the only species of self-acquired property referred to specifically should be what is known as gains of learning, *vidyadhana*, is but natural in Brahmanic law. That the concept of self-acquired property was a recent one is testified by the difference of opinion prevailing about its disposal. Gautama says that those who have earned wealth through their learning need not share it with others who are unlearned. Whatever is earned by the members of a joint household by agriculture, etc., however, must be equally divided among them. Vasishtha, on the other hand, exhorts the brothers who are effecting partition to give to the earner of self-acquired wealth only twice as much as the share of any of the other brothers, and to share it among all. It is clear that both the lawgivers have in view the joint household of brothers who are co-parceners. We are left to our own conjecture as to what might have been the attitudes of these lawgivers to the self-acquired property of a son who was a member of the joint household of his father. He could not have asked for partition, but if the father for any reason decided to effect partition, how would he have treated the self-acquisitions of his son or sons? It

appears to us that the choice would have been the father's because, according to Vasishtha, even when the question of partition was one between the brothers, the self-acquisition of a brother entitled him only to an additional share.

Manu, who is the next lawgiver, some centuries later than the preceding ones, speaks of self-acquired wealth in general, and refers to five different sources of it.³⁹ If the eldest brother after the death of the father earns wealth by his own effort then only some of the brothers, those that are learned, are entitled to a share. If the wealth after the father's death is amassed by unlearned brothers, through agriculture and such other pursuits, there shall be no special share for the eldest. Gains of learning shall be kept by the brother who earns the wealth. Here Manu went further than Vasishtha. Self-acquired wealth through the use of learning came into its own as a distinct category and became wholly the possession of its earner. The other three types of self-acquired property are: (a) what is acquired from a friend, that is, a personal gift; (b) what is given by way of dowry or the marriage stipulation; and (c) what is given in the honey-offering ceremony, i.e. all three special gifts. They belonged to the brother who was their recipient. What is even more significant of the great advance in the concept of self-acquired property is the fact that Manu lays down that whatever one brother may earn from whatever source and by whatever effort, if ancestral property was not involved in its earning he can keep it to himself if he so chooses. Here we see Manu treating self-acquired property, from whatever source, other than the ancestral property, in the same manner in which four centuries earlier Gautama had treated gains of learning. Kautilya,⁴⁰ too, a little before or after Manu, declared that self-acquired property, without any distinction, that was earned without the use of ancestral property, need not be divided among co-parceners. Yajnavalkya,⁴¹ consolidating the law of inheritance and succession about four centuries after Manu, hardly adds anything on the topic of self-acquired property. Neither new type of self-acquired property, owing to the possibilities of new sources nor further liberalization or rigidification in its devolution, is contemplated.

The most significant difference between the two attitudes, customs and laws lies in the view of the father's position *vis-à-vis* his sons maintained by the two lawgivers. Jimutavahana

denies to the sons any right to ask for partition of the ancestral property. The sons are thus put under the father's power so that they may form a submissive group in his household. By decreeing that their shares appropriate to them at the partition time will not vanish in the event of their demise before partition, but will descend to their sons as in the case of other male members, in full ownership, and in life usufruct to their widows if they leave no sons, he satisfied the innate craving of a man to provide for his progeny and his wife, or his desire that they should profit by the property of the family. He went much further on the road to stabilize the autocracy of the father when he laid down that, not only in the case of moveables forming part of the ancestral corpus, but also in the immovable estate of the ancestral type the father could dispose of some indefinite part of it at his will.⁴² In so legislating he forgot the main guiding principle of the concept of ancestral property that it is the corpus meant for the corporate body to be handed down in perpetuity. Theoretically speaking this is the effect of his law but practically he must have felt convinced that though the father may be more or less inclined in favour of one or the other son he would not be so perverse as to deprive his descendants of the main corpus. Anyway he fixed his attention on strengthening the hands of the father against the sons.

A lawgiver who concedes such a power of disposal in respect of even ancestral immovables to the father can hardly be expected to think of any power for the sons which would check him in the use and disposal of his own acquisitions. On the other hand, in regard to the self-acquired property of the sons, Jimutavahana not only harks back to the early phase of the law on the subject but advances on his path of authorization of the father. Thus he enjoins⁴³ that if a son acquires wealth with the use of ancestral funds the father shall have half of the acquisitions and the other half shall be distributed among the sons in such a manner that the one who acquired the wealth shall get twice that of any other son. If the wealth is acquired without the use of ancestral funds then it is equally divided between the father and the earner. It is clear from this disposal of the self-acquired property of a son that Jimutavahana, just leaving some incentive to the earner to go on acquiring wealth, arranges to strengthen the hands of the father and maintains

concretely the corporate unity of the family and its property.

Lastly, but most significantly, following the dictum of Manu that only four persons are united by the funeral oblations and water libation, and that they alone have hereditary rights between them, he developed it to mean that the right of inheritance and succession is based upon the capacity to offer and participate in funeral oblations or cakes to the manes. In thus putting the capacity to form in a way one of the members of the manes-fraternity Jimutavahana cemented the corporate unity of four generations. Secular property rights depended on religious capacity. And the head of the family, the father, according to the theory and practice of *shraddha* is the sole performer of the religious rites, implementing in a serene ritual the ideal unity of his three ancestors with himself. The sons look upon him not only as the father but also as the mediator with the manes, and as the representative of the past corporate life of the family. Contrary to strict theory of individual responsibility and duty of religious performances of all kinds, it would appear that long before the time of Jimutavahana no person whose father was living could offer *shraddha*. The son was entirely dependent on the father for his connexion with the manes and consequent benefits.

It is very instructive for all social historians to note that, only about fifty years before Jimutavahana, in the southern part of the country, in the heart of the Deccan, Vijnanesvara, promulgated a law of the devolution of property which was calculated to undermine the authority of the father, and to set the son against him, owing to the augmentation of the son's power not only to question the authority, the wisdom and the action of the father but also to force partition on him. It is this ideological individualism and not his special concern for the recognition of bilateral kinship that led Vijnanesvara to enunciate consanguinity as the guiding principle of his law of inheritance and succession. As one interested in the welfare of the nuclear family and as one concerned in the status of the young *vis-à-vis* the old, he has no use for Manu's principle of the capacity to offer and receive funeral oblations as this principle. Dr Kapadia⁴⁴ has ably shown how Vijnanesvara's list of heirs and their order does violence to the principle of consanguinity as the guiding principle in the devolution of

property. His law regarding the devolution of self-acquired property brings out very clearly the truth of our observation that it was his ideological individualism and consequent concern for the nuclear family which served him as the beacon light for his law. A son's self-acquired property is of course his own, of which he is the sole owner and the only authority to disburse it. What is even more significant is the fact that Vijnanesvara wants the father not to dispose of even his own self-acquired property without the consent of his son.⁴⁵ The son by his birth is thus an heir not only to the ancestral property which came into the hands—and not into real ownership—of the father, but also to the self-acquired property of the father. Apparently this view is rather inequitable. If the son, the younger, the more emotional and less sedate person is entitled to dispose of his self-acquisitions as he chooses, much more should the older, the more sedate and, *à priori*, the more concerned person, the father, have the natural right to treat his self-acquired property at his own choice. In upsetting this natural procedure the son is thus set against the father. He is encouraged to keep his things to himself and to seek to control not only the ancestral property but as far as possible even the self-acquired property of the family.

As yet there is no explanation that can satisfy one regarding the cleavage between Bengal and the rest of Indo-Aryan India in the matter of the law of inheritance and succession. And we will not attempt any half-baked one here. We shall draw the reader's attention to the probable consequences of the two systems of law as far as family organization and functioning are concerned. It has been made abundantly clear that the main effect of Jimutavahana's law would have been to preserve the extended or joint family intact by suppressing every incentive to the revolt of the youth, while that of Vijnanesvara's law should have led to the currency of the nuclear family in preference to the joint family of any description. For this calculated effect the *sine qua non* is the wholesale acceptance of the two systems of law by the peoples concerned as reflecting their sentiments, their needs and their contemporary socio-economic conditions. If we had abundant material whereby to judge more or less accurately whether the postulated conditions prevailed, we should have had a satisfactory explanation too of the cleavage between the two systems. We have some

material by the use of which we may draw limited conclusions. About Bengal we have some figures about family composition given by Martin at the beginning of the nineteenth century which taken in combination with later individual observations and literary references may be interpreted to establish the currency of the joint or extended family there. In the district of Shahbad, of the two lakhs and more families whose analysis in terms of the number of members composing a family is presented by Martin,⁴⁶ in 3 there were 100 to 300 members apiece, in 6 there were 50 to 100, and in 236 there were 30 to 60. Families with 11 to 20 members apiece formed a little over 6 per cent of the total. Writing in 1920 Sir Paul Vinogradoff⁴⁷ has recorded his discovery of 'many significant facts' during 'a recent visit to India' thus: 'A large family of some seventy relatives was keeping up its connexion with the central household of a judge of the High Court in Calcutta (Justice Chaudhuri). I was told that great gatherings of the members took place twice a year, that most distant relatives looked upon the household of the Judge as the principal stock on which they could rely in case of need, that considerable property was managed in common and that personal maintenance was provided for spinsters, widows, minors and other members who could not shift sufficiently for themselves. Similar arrangements would be witnessed in the daily life of some professors of the Sanskrit College, and of other Hindu householders with whom I came into contact.'

About the state of affairs existing in Gujarat about the beginning of the nineteenth century West's and Bühler's⁴⁸ remarks, evidently based on the investigation of Borradaile, are instructive. They say, 'In Gujarat all the castes, almost without exception or qualification, denied the right to partition of a son against the wish of his father. Even among the Brahmans the son's right does not seem to be fully admitted by any of the classes . . . whilst amongst the lower castes the answers, without exception, were either that the son could not enforce partition at all, or else that the father could retain so much as he wished of the ancestral property.'

Customs current among a large number of castes in Poona and Satara districts were collected by A. Steele for the Governor-in-Council in the first quarter of the nineteenth century, only a few years after the Maharashtrian territories

came under the British dominion. It is recorded by Steele⁴⁹ that partition of property between father and son was not general. A case of three brothers having hereditary and acquired property in common and a partition taking place after the deaths of two of them is very interesting, as it testifies to the law about self-acquired property given by Vijnanesvara not having been generally current. Of the three brothers the eldest died childless; the third died thereafter leaving behind him two sons. The second, who survived, had no children. In the partition between the uncle and his two nephews the hereditary property was equally divided in two shares, one for the uncle and the other for the two nephews. The self-acquired property of the pre-deceased eldest brother was similarly divided. The uncle's self-acquisitions were distributed in the proportion of two-thirds to the uncle and one-third to the two nephews.⁵⁰ Another hypothetical case disposes of Vijnanesvara's grant of full rights to a daughter. On the death of a man leaving neither sons nor a widow but only a daughter, whether living with his brothers or separately, the brothers of the deceased inherited the property, providing for the daughter's marriage expenses and the daughter getting only such moveables as were given to her by her father, or might be given by the uncles.⁵¹ Steele informs us that in the matter of the property of an unseparated brother, law and custom correspond in principle, though in actual practice the brothers assume the guardianship of the family of the deceased, keeping the whole property in common as before, until a partition takes place.

It is seen that the system of law of inheritance and succession formulated by Vijnanesvara was not commonly put into practice. The influence of the law on the family organization must have been very slight. The extended family system if it was prevalent before Vijnanesvara need not have been affected by the formulation of his law, which at best could have been the current custom among the small Brahmanic section of the population. Yet, the dissociation of the right to inheritance from the capacity for ancestor-worship which could not have been Vijnanesvara's own invention, and the individualistic spirit which found its culmination in the jurist, have left their mark in the form of the vogue of brothers continuing to live together being not so prominent a feature in Maharashtra, for example, as in Bengal.

Of the social regulations based on kinship that of inheritance and succession is met with among all the branches of Indo-European culture. The function of religious worship including ancestor-worship is another which in a rudimentary way is common to all. Some observance of mourning and/or impurity on death must have been another feature of kinship ties. The observance of death-impurity and ancestor-worship developed most among the Indo-Aryans. We have already dealt with the various units of kin which were enjoined to observe this impurity. Regulation of marriage by limiting the choice of a mate is another almost universal function of kinship.

A passage in *Satapatha Brahmana*⁵² (I, 8, 3, 6) informs us that kinsfolk rejoice because in the third or fourth generation they can unite. It speaks of the possibility of marriage between persons related as either first cousins or second cousins. It is generally understood to convey the fact that cognates and not agnates within the specified degrees of relationship could marry. It is surmised that as for the agnatically related persons marriage outside the family unit was perhaps the guiding rule.⁵³ If family and *gotra* in its early history were the same thing,⁵⁴ marriage in pre-*Sutra* times, before the eighth century B.C., used to take place between persons who were not of the family or *gotra*. But by the time of the *Sutras* the *gotra* system was so elaborate, and so intimately bound up with religious organization that the prohibition of marriage with a *sagotra*, 'a person having the same *gotra*', meant the exclusion of a very much wider circle of persons than could have been the case if only the family was meant. Though the word *sagotra*, meaning one belonging to the same *gotra* is found in the *Brahmanas*, and in contexts which imply some kind of mutual affinity, it is only in the *Sutras* that marriage between *sagotras* is forbidden.⁵⁵

Baudhayana grouping the *gotras* about the sixth century B.C. makes it clear that there were then not only thousands but millions of *gotras* and that he grouped all of them under ten main classes. The principle on which he could do this was the *pravara*, or the spiritual *gotra*, which was recited in the invocation formula by each earthly *gotra*, or each family in our sense of the term. *Pravara*, to simplify understanding the concept, may be understood to be a school of ritual. Each family in the course of time according to the educational

alignment of its principal member was attached to a particular school of ritual. At any religious rite it used to invoke Fire in the name of the principal teacher of the school of ritual. Thus the thousands of earthly *gotras* or families were discovered to repeat the names of only ten sages, and hence they were classified into ten divisions. The *gotra* which is spoken of in normative literature whether in connexion with marriage or any other social regulation is one of these ten divisions, excepting in the case of two groups.⁵⁶ Here we must draw the reader's attention to our difference of viewpoint from Karandikar. In *Manusmriti*, *sagotra* kinship is referred to only in connexion with marriage. It is laid down by Manu (III, 5) that one shall not marry a girl who is a *sagotra* of one's father or who is a *sapinda* of one's father or mother. Neither in his injunctions about the observance of death-impurity nor in his rules of the devolution of property has Manu brought in the *sagotra* kinship for any consideration. In his permission to a childless widow to raise up issue for her deceased husband again he only mentions a *sapinda* but not a *sagotra*. To us therefore it is clear that Manu's injunctions on the basis of *gotra* are all in reference to the Brahmanic *gotra* division as formulated by Baudhayana, and not to the earlier family-unit. Since the time of the *Sutras* sept-exogamy based on *gotra*, as designed in the scheme of Baudhayana linking up the actual families into large ten divisions on the basis of their spiritual affiliation has been the rule among high castes. This unit of group-exogamy, unilateral in its descent, besides the family, was evolved among Indo-Aryans not earlier than the eighth or the ninth century B.C.

It is noteworthy that *Satapatha Brahmana* of about the same date refers to the existence of some customary rule about two or three degrees of cognatic relationship being excluded in marriage. The cognatic kinship is significantly designated in Sanskrit as *sapinda* or consanguine relationship. By the time of the *Sutras* there were already in existence two views about the extent of *sapinda* relationship as a bar to marriage. *Sapinda* relationship in general was limited to relationship within seven generations from the common ancestor amidst a vast group of consanguine relatives. There was another opinion which favoured its restriction to five generations.⁵⁷ But the view recognizing *sapinda* relationship for seven generations came to be generally accepted for forbidding marriage within

that extent of relationship on the father's side. The other view was confined to operate for marriage-prohibition with persons related through the mother. Thus the bilateral recognition of kinship was weighted with a slight load in favour of the father's side. Marriage within these degrees of consanguinity was forbidden, except marriages with a father's sister's daughter or a mother's brother's daughter which were reluctantly allowed where custom permitted them.

Marriage took place at the residence of the bride's people, the bridegroom, in the company of his elders and others, going there in a procession. It was and is considered a ceremonial gift of the bride by her father, or other appropriate relative, to the bridegroom, in order that both may together fulfill three of the standard four purposes of human existence. The ends mentioned are *dharma*, *artha* and *kama*. As in a way the first-mentioned end, *dharma*, 'religious duty' includes the fourth end known as *moksha*, 'salvation' we may take it that the marriage union was declared to be entered into by the two partners for the fulfilment in common of the cherished ends of human existence. The wedding ceremonies were performed in front of fire which was kindled for the purpose, the God of Fire being the principal witness of the marriage-union. One important aspect of the complex marriage rites is the amount of female activity of a ritualistic nature which is not embodied in the standard catechism of the marriage-rites. We want to draw our reader's attention to one feature of this activity which has been referred to as *striachara*, 'female customary rites'. In Bengal even today at a certain stage of the rites performed in front of the fire the assembled females give out a cry of joy which invariably takes the form of the sound 'ulu', 'ulu'. Murari, an eastern author who lived in the ninth century A.D., in his drama, *Anargharaghava*, dealing with the marriage of Rama and Sita, has mentioned⁵⁸ that at the time of Sita's hand being taken by Rama, while the Brahmins sang the Yajurvedic verses, the ladies gave out the auspicious 'ululu' sound. Ruchipati, a late commentator of the work, the earliest manuscript of whose commentary is dated in the first quarter of the seventeenth century, vouchsafes us the information that in the 'southern country' on such auspicious occasions as marriage, ladies were wont to cry out 'ululu'. Except for the regional specification, Ruchipati is quite enlightening on the

prevalence of the practice of crying out 'ululu'. His traditional and contemporary knowledge is testified to be correct by the venerable antiquity of the reference to it in *Chhandogya Upanishad*.⁵⁹ It is described there how people cried out vociferously 'ululu' when the sun rises. Still further back, *Atharvaveda*,⁶⁰ not later than 1000 B.C., attests the existence of the 'ululu' cry in connexion with the successful performance of a rite to help friends against enemies, indicating victory over the latter. Readers will later⁶¹ come across the existence of an ancient Greek custom associated with marriage ceremonies whereby at a sacrifice ladies gave a particular cry which is the exact cognate form of this ancient Indian and contemporary Bengali vent.

Death-impurity, which, as stated above, for its duration and extent is governed by wide degrees of relationship among the agnates, has always been specifically laid down in the case of most of the cognates, particularly related through the mother,⁶² and the affines.⁶³ The recognition of affines in the matter of death-impurity is rather late as far as textual authority goes. But the important position accorded to the father-in-law is fairly ancient. The *Sutra* writers⁶⁴ have enjoined that the honorific offering of honey should be made to one's father-in-law as much as to one's father's brother. The affineal relationship is so peculiar that the son-in-law, who was to be looked upon as a sort of a divinity at the time of making over the daughter to him, was, according to two⁶⁵ authorities at least, to be offered the honour of honey-mixture on some subsequent arrivals. Thus the affineal relatives are integrated in the sentiments-system of Indo-Aryan culture in a manner which follows more or less the pattern of the joint household.

This feature of Indo-Aryan kinship organization, as we have seen, is very well reflected in the terminologies of the languages of the group. History of kinship-functions and of the familial organization is in harmony with the deductions about them which are derivable from the terminologies.

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286. 16. Kapadia, p. 285. 17. Consult S. V. Karandikar's *Hindu Exogamy* (1929) for a detailed and authoritative view of this interesting species of social organization. 18. *Gautama Dharmasutra*, XV, 20; *Apastamba Dharmasutra*, II, 7, 17, 4. 19. *Yajnavalkyasmṛiti*, I, 52, 68; II, 136.
20. *ibid.*, II, 45. 21. *Mṛicchakatika*, IX, after verse 7, verse 43; X before verse 12. 22. *vide* p. XVII of M. R. Kale's ed. of *Dasakumaracharita*. 23. *Harshacharita*, see P. V. Kane's ed., Introduction. 24. *Manusmṛiti*, IX, 133, 139, 131, 132, 136. 25. *ibid.*, III, 234; for older authority see *Vasishtha Dharmasutra* XI, 17-18, 35. 26. Sircar, D. C., *Select Inscriptions*, vol. I (1942), pp. 22, 69. 27. Kane, III, p. 747, fn. 28. Kapadia, pp. 167, 235-6, 174. 29. Steele, A., *Law and Custom of Hindu Castes* (1827), p. 225.
30. *Arthashastra* (trans. by Shamashastry, ed. 1929), p. 224. 31. Kane, III, p. 747. 32. Kapadia, p. 174. 33. Kapadia, pp. 210-17. 34. Kane, III, pp. 569-70, 593; Kapadia, pp. 233-4. 35. Kane, pp. 557, 561, 594. 36. Kapadia, pp. 232-4, 192-3, 202. 37. Kautilya's *Arthashastra*, pp. 276-7. 38. Kane, III, p. 581; Kapadia, p. 213. 39. *Manusmṛiti*, IX, 204-6, 208-9.
40. *Arthashastra*, p. 182. 41. *Yajnavalkyasmṛiti*, III, 118-19. 42. Kapadia, p. 234. 43. *Dayabhaga*, II, 66-72. 44. Kapadia, pp. 158-9, 160-1, 164, 229-33. 45. Kane, III, 639; Kapadia, pp. 231-3. 46. *Eastern India*, vol. I, appendix, p. 45. 47. Vinogradoff, vol. I, p. 263. 48. *Hindu Law* (3rd ed.), pp. 659-60. 49. Steele, pp. 213.
50. Steele, p. 230. 51. Steele, p. 233. 52. *S.B.E.*, vol. XII, p. 238; Karandikar, p. 18. 53. Karandikar, pp. 13, 19, 103. 54. Kapadia, pp. 55-6. 55. Karandikar, pp. 101-4. 56. Karandikar, pp. 60-1, 103, 106-7. 57. Karandikar, p. 196. 58. *Anargharaghava* (N.S.P. ed. 1937), Act III, v. 55. 59. III, 19, 3.
60. III, 19, 6. 61. *Infra*, p. 110. 62. Kapadia, p. 238; *Manusmṛiti*, V, 81. 63. *Yajnavalkyasmṛiti*, III, 1-4, 18; *Nirnayasindhu* (N.S.P. ed.), pp. 527-9. 64. *Gautama Dharmasutra*, VI, 9, V, 28-30; *Baudhayana Dharmasutra*, I, 2, 3, 45; II, 4, 8, 5-7; *Apastamba Dharmasutra*, I, 4, 14, 11; II, 4, 8, 5-7, etc.; *Manusmṛiti* III, 119. 65. *Baudhayana and Manu*.

CHAPTER VI

IN GREEK CULTURE—I

AMONG the Ancient Greeks four groupings can be clearly distinguished. They are: (i) *Oikia* or members of an *oikos*, of a household; (ii) *anchisteis* or near relations; (iii) *gennetai* or members of a *genos* or a clan; and (iv) *phratores*, *phrateres* or members of a *phratRIA*. How and to what extent these groupings affected the life of an individual and what was the extent of each can best be understood if we pass under review the normal life of an ancient Greek.

To begin with, we may notice how a Greek individual was introduced in his society. The Greeks are traditionally represented as having celebrated an annual festival called *apaturia* since eleven hundred B.C. According to Xenophon (latter part of the fifth century B.C.), it was a festival at which the *phratores* met to discuss and settle their affairs. On the first day of the festival every citizen went to the *phratrium*, or the hall of the *phratRIA*, or to the house of some wealthy member of it, and enjoyed his supper in the company of other members of his *phratRIA*. It would appear that the convivial drink was taken in fair quantities at the time. On the second day of the festival a sacrifice was offered to Zeus and Athena. On the third day all children born in the families of the *phratores* in that year, and not registered, were taken by their fathers before the assembled members of their *phratrae*. For every child, a sheep or a goat was sacrificed. If any *phrator* desired to oppose the reception of any child he stated his reasons. If the members of the *phratRIA* held the objection to be valid, the sheep or goat was removed and, it would appear, further proceedings were dropped. If, on the other hand, the *phratores* did not accept the objection, the father of the child had to establish by an oath that the child was the legitimate off-spring of free-born parents and citizens of Athens. Thereafter the animal was sacrificed, and the *phratores* gave their votes. If the child was accepted, its name together with that of its father, was entered in the register of the *phratRIA*. Then wine and pieces of the flesh of the sacrificed animal were distributed to all the assembled *phratores*. There was also a competition among the elder boys of the *phratRIA* in

reciting poems, a prize being given to the best reciter. A child, thus admitted into the phratry and satisfying all the conditions of being a member of the gens, became by this reception a *gennetes* or member of the gens, the *genos* and the *phratRIA* having had a common register, kept either by the phratry or the gens.¹

The sentiment underlying the above practice may best be appreciated in the words of Plato in his *Laws*: 'To every man the first year is the beginning of life, and the time of birth ought to be written down in the temples of their fathers as the beginning of existence to every child, whether boy or girl. Let every *phratRIA* have inscribed on a whited wall the names of the successive archons by whom the years are reckoned. And near to them let the living members of the *phratRIA* be inscribed, and when they depart life let them be erased.'²

The name of a child was generally chosen by his father. It was customary to give to the eldest son the name of one's father. Many instances of this custom are recorded. Daughters were named after their grandmothers. The second son, it would appear, was named after his mother's father, the fourth son being given the name of his father's mother's father. Sometimes a son received the actual name of his father, or something very similar to that, or sometimes it was a derivative from it.³ The best explanation of this method of naming a son, usually after his grandfather, and sometimes after his father, is put by Isaeus (fourth century B.C.) in his plaint on the property of Menekles: 'I, his son by adoption, cared for him while he lived . . . and I named my own child after him, so that the name of his house might not perish . . .'⁴

Smith states that a Greek had only one name and that, owing to this practice, in spite of there being a great variety of personal names, in reading the works of the Greeks one is not always certain whether the same name in different passages or writers stands for the same person. This difficulty is sometimes obviated by the occasional practice of adding one's father's name in the genitive case to one's own. In daily life the ambiguity was avoided by the frequent use of nicknames.⁵

Fustel de Coulanges, on the other hand, maintains that every Greek, belonging to an ancient family, bore a triple name: one, his individual or personal name; another, that of his father and third, that of his entire gens. As a person was

generally named after his grandfather, the two components of a Greek's triple name were more or less distinctive of his family. He gives as examples the following: Miltiades Kimonos Lakiades, the first being the man's personal name, the second his father's and the third that of his gens. This man's son would have borne the following name: Kimon Miltiadou Lakiades. Though in daily life a man might be called by his individual name, yet on all formal occasions of politics or religion his complete name, and the name of his *genos* in particular, were required.⁶ Both Coulanges and Hearn⁷ state that the Greek patronymic derived from gens had the ending *ides*. Homer usually gives the names of his hero's father and his grandfather. He has followed this practice in introducing a girl who was bought from her father in her childhood and so could not have been of noble birth.⁸ Achilles was known from his father's name as Pelides and from his grandfather's, Aeacides, which was a patronymic of the descendants of Aeacus. Pyrrhus, the son of Achilles, was called Achilides, and from his grandfather Pelides, and even Aeacides after his great-grandfather.⁹

That clans were named after eponymous heroes, and newer clans arose within the older clans as great personages from time to time flourished in that clan, is clear from the account given by Herodotus of some of the Greek clans.¹⁰ Pindar in extolling his heroes always mentions their *genos*.¹¹ The statement of J. Woodhouse that an adopted son usually retained his personal name but added his adoptive father's instead of his natural father's in writing his full signature, supports the contention of Coulanges, that a Greek added to his personal name that of his father as well. Zimmern, while commenting on the economic troubles of about the middle of the sixth century B.C. and their entanglement with conflict between tribe and tribe and clan and clan, refers to the leaders of movements started before the supremacy of Cleisthenes. His reference to Megacles, Cleisthenes and Miltiades mentions the clan name, that of the former two being Alcmaeonid and of the latter, Philaid. Pisistratus and Isagoras on the other hand are not so specified.¹²

We may conclude therefore that a Greek's full signature was composed of his personal name, which generally was the name of his grandfather, followed by his father's name,

generally in the genitive case, and in early times ended with the name of his gens with an *ides*-ending, which indicated 'belonging to'.

In the *Odyssey*, Nestor calls after Athene: 'But, Oh Queen, be propitious and grant me fair renown, to myself and to my children, and to my revered wife.'¹³ Solon is believed to have made marriage compulsory.¹⁴ Aeschylus (525-456 B.C.) has described the son as the saviour of the wealth of his fathers. Euripides speaks of sons as the protectors and avengers of the family graves. Plato in his *Laws* exhorts that a man 'should cling to immortality, and leave behind him children's children to be servants of God in his place forever'. Demosthenes (384-322 B.C.) says: 'Mistresses we keep for pleasure, concubines for daily attendance upon our persons, wives to bear us legitimate children and to be our faithful housekeepers.'¹⁵ The popular sentiment is emphasized by the lawyer Isaeus thus: 'No man who knows he must die can have so little regard for himself as to leave his family without descendants, for then there would be no one to render him the worship due to the dead.' By the close of the fourth century, however, the ideal of marriage had completely changed. There are passages in the works of Aristotle in which marriage appears not 'as an alliance having for its end the propagation of the race, but as a communion of souls designed to satisfy all the moral needs of existence, to bestow on husband and wife the advantages and blessedness of mutual love . . . Marriage was no longer considered as strict duty of the individual bound in his turn to hand on the life he had received in trust from his ancestors; it came often to be regarded as an artificial institution, a mere convention. In the opinion of designers of Utopian societies it could be replaced by community of woman; in the eyes of the common people it was simply one of the alternatives offered to each man in his search for personal well-being and pleasure.' Polybius, writing more than a hundred and fifty years later, presents a social picture wherein not only collateral relatives but even one's own children are passed over in favour of temporary pleasures. He says: 'People who had no children, in place of leaving their property to their collaterals, as was formerly the custom, spent it on banquets and drinking parties and bestowed it on their friends as common property; a good number of those who had children preserved the major part of

their wealth for such convivial parties; so much so that many Boeotians held more supper parties in the month than the month had days.¹⁶

As to who should marry whom there seems to have been great latitude in ancient societies; and the marks of a change in the sentiment are clearly visible in the works of the early poets. Professor Gilbert Murray has brought to our notice how the relationship between Alcinous and Arete, who were husband and wife, brother and sister, was changed through a late and interpolated genealogy, making Arete the daughter of Alcinous' brother. Similarly Hesione, who was sister and wife to Prometheus, was changed by Aeschylus into a half-sister by the same father.¹⁷ From Isaeus we learn that marriage between ascendants and descendants was forbidden, a marriage with half-sisters by different mothers was tolerated. 'Marriage between brothers and sisters was not unheard of in noble conservative families until the fifth century.'¹⁸ One could not marry one's step-mother or step-daughter, a mother-in-law or a daughter-in-law. Marriage with a niece was common; with an aunt less so.¹⁹ From the fact that certain duties and privileges ran in certain specific gens it may be inferred that marriage usually took place within the gens, though marriage outside it was not forbidden.²⁰ As J. Woodhouse has observed, forbidden degrees were few owing to the practical working of the laws of inheritance and adoption.²¹ The practical need for close marriage was so great that Plato in his *Laws* suggests that the marriage of the daughter of a person who dies without leaving male issue be arranged having regard only to 'nearness of kin' and 'the preservation of the lot' and not to the suitability of the person. The law that he lays down runs thus: 'If a man dies without making a will, and leaves behind him daughters, let his brother, being the son of the same father or of the same mother having no lot, marry the daughter and have the lot of the dead man. And if he has no brother, but only a brother's son, in like manner let them marry, if they be of a suitable age; and if there be not even a brother's son, but only the son of a sister, let them do likewise, and so in the fourth degree, if there be only the testator's father's brother, or in the fifth degree, his father's brother's son, or in the sixth degree, the child of his father's sister.'²² Woodhouse has stated that the Greek family does not exemplify levirate or marriage

of the widow with her deceased husband's brother for the purpose of perpetuating the line. This is quite correct as legal practice; yet, as we shall see later, marriage with a deceased husband's brother is exemplified in the lives of the epic heroes. And Zimmern tells us that the need for legitimate male offspring was felt to be so dire that it led to the practice of a childless widow 'raising up seed' in a second marriage for her deceased husband.²³

Marriage ceremonies began with betrothal, at which, after the legal formalities were completed, a family feast took place, though not universally, in which the father of the bride offered drink to his would-be son-in-law in a proud and ostentatious manner. That it was looked upon as a proud occasion is clearly evidenced by a passage in Pindar (first half of the fifth century B.C.): 'As one taking a goblet in his wealthy hand, foaming with the dew of wine, presents it to his young son-in-law for a draught welcoming him from one home to another, a goblet all of gold, chief of his possessions, for the sake of good cheer and in honour of the alliance, and if friends are present makes him envied for this love-match; so I send to the prize-winners my liquid nectar, the gift of the Muses, the sweet fruit of my fancy, and pour a libation in honour of the victors at Olympia and Pytho.' The most important religious ceremony was again performed by the father of the bride either some days before the marriage or on the marriage day itself. The main item in this ceremony was an animal sacrifice to certain deities who were believed to rule over marital affairs, namely, Zeus and Hera, and Apollo and Artemis. The families of both the bridegroom and the bride took part in the ceremony and had a wedding-banquet after it, this being one of the few occasions when men and women dined together. In the evening, a procession was formed to lead the bride to the bridegroom's place. The place of honour in the procession belonged to the bride's mother, whose privilege it was to carry the bridal torches, kindled at the hearth of the bride's family, with which the fire in the new household was to be lighted. The bridegroom's mother who was waiting at the door of the bridegroom's house with torches in her hand received the procession. Thereafter followed a wedding-feast at which sesame cakes were a speciality. The bride and bridegroom together ate some food. The bridegroom's mother thereafter led the couple to the

bridal chamber, where, lay a richly decorated marriage couch.²⁴

Hesiod (eighth century, B.C.) advises his countrymen first to build the house and then to bring in the wife.²⁵ Another remark of his quoted by Aristotle is equally enlightening. It gives us the male point of view of marriage which is that it establishes a household for him and enables him to start a farm of his own.²⁶ The female point of view on the other hand is expressed by Sophocles (fifth century B.C.). One of his characters observes: 'When we are young, in our father's house, I think we live the sweetest life of all; for ignorance ever brings us up delightfully. But when we have reached a mature age and know more, we are driven out of doors and sold, away from the gods of our fathers and our parents, some to foreigners, some to barbarians, some to strange houses, others to such as deserve reproach. And in such a lot, after a single night has united us, we have to acquiesce and think that it is well.'²⁷ Nor is this attitude surprising. The Greek housewife had her time fully employed in her household affairs which included supervision of slave women. Even queens are described by Homer as not only weaving garments but also as attending to the washing of linen.²⁸ Generally the wife used to be in that portion of the house which was reserved for women, and was called *gynaekonites*, only the bedroom and eating-room being common to husband and wife. This sharing of bedroom and board, too, ceased if there were guests in the house.²⁹ It was considered unbecoming for the young wife to leave the house without her husband's knowledge; and Aristophanes has recorded the wrath of the husbands when their wives left the homes without their knowledge.³⁰ One can understand how under such circumstances the young wedded wife must have felt for some time like the character of Sophocles whose observations we have quoted above. With ripening years, in a large number of cases, marriages must have turned into real companionships and partnerships. Arete was so loved and honoured by her husband Alcinous that she was the virtual arbiter of people's destinies. The love of a wife for her husband can hardly be better described than in the words of Andromache to Hector as he was going into battle: 'Since the death of my parents and of my brothers and sisters, and since the destruction of my home, you, Hector, have been father, mother, and brother to

me.' Penelope and Odysseus are another pair far-famed for conjugal affection. 'Love and fidelity of the wife form the fundamental thought of the Odyssey.' Marriage was a sacred tie, violation of which was followed by punishment, as Homer makes Zeus himself observe regarding the fate of Aegisthus.³¹

While these prominent examples either present the brighter side of the picture or are the poet's ideals, the glimpses of Greek life one gets from mythology or other sources, are not so flattering either to the constancy of the male or to the devotion and faithfulness of the female. It was a very common thing for males to visit the hetaerae or public women, to form sex friendships with young boys, or to have intrigues with the female slaves of the household.³² On the women's side domestic slaves came into the picture; and the doings of a number of famous women disclose a lack of sufficiently strong loyalty to the husband. Atreus and Thyestes were brothers. Plisthenes was Atreus' son by his first wife, but was brought up by Thyestes as his own son. After the death of his first wife Atreus married Aerope, the widow of Plisthenes. Agamemnon, Menelaus and their sister Anaxibia were the children of Aerope, either by Plisthenes or by Atreus. As a consequence of the murder of their half-brother, Atreus and Thyestes had to flee to Mycenae. While in exile Thyestes seduced Aerope, who was then his brother's wife and formerly the wife of his brother's son, whom he had treated as his own son. As a consequence Thyestes was banished. Later Atreus is represented as having married Pelopia, who was really a daughter of his brother Thyestes, but whom he had believed to be the daughter of another. Pelopia was at that time big with child by her own father who was later known as Aegisthus. The household of Atreus was for some time formed by his wife and his sons or grandsons Agamemnon and Menelaus, his brother Thyestes and Aegisthus, who, though he was really the son of Thyestes, was now the step-son of Atreus. Atreus brought up Aegisthus as his own son. Agamemnon was married to the Spartan Clytemnestra, the half-sister of Helen, who was married to his brother Menelaus. Homer tells us that Aegisthus, who, as we have seen, was both a first cousin and a half-brother of Agamemnon, and was brought up along with him in the same household as his brother, stayed away at home during the Trojan war, and lived in adultery with Clytemnestra, who

already had a son Orestes and a daughter Electra by her husband Agamemnon. When Agamemnon returned from the Trojan war, Clytemnestra murdered him with the help of Aegisthus. Diomedes found his wife Aegialea, who was his mother's sister, living in adultery during his absence at the Trojan war. Helen is well known to have had a partiality for Paris, her supposed abductor and captor. After the death of Paris she married his brother Deiphobus. Andromache, the wife of Hector, was assigned to Neoptolemus or Pyrrhus by the victorious Greeks. After bearing him a few children, she is represented as having married Helenus, a brother of Hector. Hermione, the daughter of Menelaus and Helena, was promised to Orestes but was later given in marriage by her father to Neoptolemus or Pyrrhus. Orestes claimed Hermione for himself but Pyrrhus refused to yield her, and was slain in a fight that ensued. Thereupon Hermione married Orestes whom she had always loved. Orestes, as we know, was the first cousin of Hermione, being her father's brother's son. Pyrrhus was the son of Achilles, and according to one account had Iphigenia, the daughter of Agamemnon, as his mother. Thus in marrying Hermione, Pyrrhus married his mother's first cousin. Homer has represented Iphidamus and Diomedes as having married their mother's sisters.³³

We see in these lives of great men and women an utter disregard for relationship as a bar to marriage and sex relations. The attitude towards sex and marriage typified by these characters is essentially different from the solemn attitude which engendered, and engenders, faithfulness and loyalty between husband and wife.

Arthur Fairbanks remarks that 'the Greek family was a religious institution, because every social institution in Greece was essentially religious'.³⁴ This observation would be true if the basis of Greek family life was in theory and practice some kind of ancestor-worship, and worship of domestic gods. Its validity can be best established by a description of the actual working of the family, the behaviour-patterns that subsisted among the various members composing the family and the motives that sustained them. It is surprising that Fairbanks has hardly tried to substantiate his remarks. He admits the great difficulty of exploring the approach to the problem mentioned above. He says: 'The efforts to ascertain

from Greek literature the meaning of the family as an ethical institution is complicated by various difficulties. Pictures of private life are not found in the earlier literature . . .³⁵

However difficult the task, an attempt must be made, if we are to have any intelligible picture of the Greek family as a working unit, both as regards the extent of personnel and the depth of feeling. We have already described the position of the wife in the family and the relations subsisting between her and her husband. Professor Gilbert Murray looks upon those 'fragments of the Greek saga in which the young hero is befriended and counselled by a mother or a guardian goddess' as extremely beautiful; and as examples he quotes Heracles and Athena, Odysseus and Athena, Perseus and Athena, Jason and Hera, Achilles and Thetis. Peleus, the father of Achilles, matters little to his son. 'When Achilles is in grief it is to his mother Thetis that he prays, his mother Thetis that helps him. And few beings even in the *Iliad* have the magic of that sea-spirit so unearthly and yet so tender.'³⁶ This picture may be considered to set the pattern of emotion suffusing behaviour between a mother and a child, provided we bear in mind that it is mostly from the realm of mythology. When Orestes and Electra discovered the unnatural deed of their mother Clytemnestra, Electra fearing the safety of Orestes sent him away to a place of safety. Later, she urged on him the necessity of revenge. Orestes, goaded by his sister, killed his mother. It was an unnatural wife, an unnatural mother that was so unnaturally treated by her son. And yet the unnatural act produced its nemesis. Orestes is represented thereafter as wandering as a madman and as only relieved of his madness after he had the advice of Apollo.³⁷ On the whole, we may conclude that the following statement of Alexis (late fourth century B.C.) gives us the prevailing sentiment. 'God reveals himself to us in the mother more than in anything else.'³⁸

Life in the homes of the Trojan princes and the palace of Odysseus, was marked by affection and regard on the part of the parents, and reverent love and obedience on the part of children. The Greek father had the right to decide whether his new-born child should or should not be allowed to live. He gave his daughter in marriage to whomsoever he liked and brought whatever wives he chose for his sons, as Menelaus does in the *Odyssey*. He could give away his son in adoption

to another, and his power over his son did not cease even when the latter came of age and married. The son had no legal rights against the father. On the other hand, there was not only the expectation but the actual right to compel the son to support the father in his old age.³⁹ At Athens, absence of filial piety — piety to be shown by children towards their parents — was a legal bar to holding public office.⁴⁰ It is not surprising therefore to find in the epics memorable occasions described in a stirring manner where sons helped their fathers. Aeneas, when Troy was aflame and every delay meant death, could not move without 'father Anchises', and when the latter could move no further, did not hesitate to carry him on his back through the ranks of the enemy. That is 'piety'. That the sentiment of piety was early changing is the essence of the complaint of Hesiod that the men of his days cursed and deserted their old parents.⁴¹ And Plato in his *Laws* advises a young man to marry and make a home for himself, separating from his father and mother. He does so with the special purpose that the good relations between parents and children should continue untarnished. He devotes some space to discuss the quarrels that sometimes arose between father and sons. That such quarrels should arise is bad in itself. As he was interested in seeing that a certain number of households were always maintained, he was not in favour of the obviously easy solution for these quarrels, namely, that either the father should have the right to renounce the son or that the son should have the right of indicting the father. He therefore proposed the following law to meet the situation: 'He who in the sad disorder of his soul has a mind, justly or unjustly, to expel from his family a son whom he has begotten and brought up, shall not lightly or at once execute his purpose; but first of all he shall collect together his own kinsmen, extending to cousins, and in like manner his son's kinsmen by his mother's side, and in their presence he shall accuse his son, setting forth that he deserves at the hands of them all to be dismissed from the family; and the son shall be allowed to address them in a similar manner, and show that he does not deserve to suffer any of these things.' The final decision rested on the votes of the kindred that gathered together. Similarly the son before trying to indict his father of incapability due to age, disease or harsh temper, was to consult the eldest guardians of the law. To Plato the question

of honour and dishonour of parents was closely connected with service of the Gods. For they were living gods to him. 'If a man has a father or mother, or their fathers or mothers treasured up in his house stricken in years, let him consider that no statue can be more potent to grant his requests than they are who are sitting at his hearth, if only he knows how to show true service to them.' He invokes the examples of Phoenix, Thescus, and Hippolytus to show how the curses of parents wrought the ruin of their children. Thus he exhorts sons to pay reverence to their parents, and even grandparents and other aged relations, to secure through them the favour of the Gods. Nevertheless he does not leave the problem and its solution to mere exhortations. He lays down corporal punishment with stripes for such sons who 'do not regard and gratify in every respect their [parents'] wishes more than those of his sons and of his other offspring or of himself'.⁴² Plutarch (c. first century A.D.) tells us that a son of Pericles, who was major and was married, borrowed some money from a stranger. The creditor not only could not recover his money from the family property — for Pericles' son had no property of his own, and perhaps could not hold property on his own — but rendered himself liable to an action.⁴³ We may take it that however weak the sentiment of filial piety might have become, the fact that Plato harps on the power of the parents to do good or evil by their blessings or curses, and that Pericles' son does not move his little finger against his father, establishes that up to that age children felt some kind of awe towards their parents.

As representative brothers of the epic age we may mention Agamemnon and Menelaus, and Hector and Paris, but we cannot forget also Atreus and Thyestes. Whereas the relations of the former two pairs were sweet and brotherly, those of the last pair, as we have seen already, were marred by disloyalty and even treachery. Polynices and Eteocles were two brothers, the sons of Oedipus. After their father's flight from Thebes they carried on the government for some time by turns. But soon disputes arose between them which ended in the flight of Polynices. An expedition was led against Thebes by the father-in-law of Polynices. When most of the heroes of the combat had died, the brothers met in a single combat to decide the issue and fell fighting.⁴⁴ Hesiod's brother deprived Hesiod of

his inheritance by bribing the judges.⁴⁵ Eurhymachus had three sons who, as Demosthenes informs us, continued the joint household even after the death of their father. They were unmarried. One of them died. One of the remaining two then married and brought his wife home and kept the common household running. A daughter was born, who, in due course, was offered in marriage by her father to his bachelor brother who declined the offer. It is interesting to note that Demosthenes considered her to be 'the joint daughter of both brothers'. Eventually she was given away in marriage to someone, dowered by the brothers jointly. The brothers continued to live together till the death of the old bachelor.

Aeschines (fourth century B.C.) gives us another case of a family continuing joint and undivided after the death of the father. In this case there were three brothers, all unmarried at the time of the father's death. One of them married and brought home a wife and the joint family continued till the death of all the brothers, the married brother leaving one son to continue the line.⁴⁶ Schrader thinks that this tendency for brothers to live together in joint households was very pronounced among the Dorians. In Sparta, family property being indivisible, brothers had to live together on the common property. The eldest brother was considered the real heir and the others were entitled only as sharers. Polybius, a historian of the second century B.C., saw in this practice 'polyandry and community of wives'. Schrader explains away this opinion as being founded on a general observation regarding sex relations. He says in effect that the opinion of Polybius is not a statement of fact but is an inference from his observation 'that where several generations and households live together, there is a tendency to a certain licence and disorder in the relations of the sexes'.⁴⁷

As typical of the affection of a brother and sister stands the story of Electra and Orestes as it was developed in literature and in art.⁴⁸ Priam was ransomed by his sister Hesione from Heracles. And the tragic story of Oedipus as developed by Sophocles (496-405 B.C.) shows his daughter Antigone 'as a noble maiden, with a truly heroic attachment to her father and brothers'.⁴⁹

Atreus was living in a joint household with his brother and his son and with his own married sons. Nestor's household

included his sons and daughters-in-law. Menelaus brought his daughter-in-law into his home, when his son married. Priam, whose wife was living, had a number of married sons living with him. These families, each one of them living in a single house, formed a joint household, that is to say, joint as regards estate and authority, but separate as regards their lodging and boarding arrangements.

Jevons thinks that in many cases each of such families had a single house and attributes Hesiod's special denunciation of adultery with a brother's wife to this feature of the joint family, as it provided special facility for this form of sexual licence.⁵⁰ We have already seen that one part of the ceremony of Greek marriage consisted in kindling a fire for the new couple from the hearth-fire brought from the bride's home. This ritual may be taken to presuppose the starting of a new home by the couple. Hesiod's advice and exhortation that one should build a house before one brings in a wife also lends support to that view. Schrader thinks that among the Indians, the Greeks and the Teutons, the custom of the son leaving the parental home on his marriage prevailed from the most ancient times.⁵¹ Plato's exhortation to found a new home with marriage may also be taken to represent the Greek practice to a large extent. Some of the examples of joint family given above contained only one female each. In the standard description of a housewife's duties given by Xenophon (c. 430-354 B.C.) no other married female is contemplated as a member of the household. We may conclude that the Greek *oikos* by about the fifth century B.C. was commonly the nuclear family, or a family in which there was only one married female. And the plan of the Greek house establishes its prevalence in at least one section of the Greeks.

Professor Murray has shown that there were two types of houses in the Aegean, the Cretan, or Southern palace, and the Hellenic, or Northern one-roomed hall. The Hellenic house was like a modern shed, an oblong building with a door in the narrow side. It had a porch in front and fireplace in the centre of the big hall. In the *Iliad* and the *Odyssey* the houses are normally such one-roomed halls. 'The master and mistress live in the *megaron* (as the one-roomed hall was called) in the day time and sleep there at night. Strangers are invariably given a bed in the porch just outside the front door. That is where Telemachus is put when staying with Nestor and with

Menelaus; Odysseus with Alcinous, and Priam with Achilles. Grown-up sons and daughters have separate "halls" or *thalamoi* built for them close by. When Hector goes to find Paris in his *thamos*, he finds Paris cleaning his armour, and Helen with her handmaids spinning, all in the same room; and it was certainly the place where Helen and Paris slept.' Gilbert Murray considers this to be the normal Homeric practice and the description of a separate bedroom away from the hall for the master and mistress to be a later addition.⁵² Even in the more elaborate houses, which according to Murray must be considered post-Homeric, there is no accommodation provided in them for more than one couple. The fireplace in the centre of the hall was the altar of Zeus *Herkeios*. There was the women's room immediately behind the hall wherein the sacred hearth or altar of Hestia appears to have been situated. Here was also the nuptial chamber. Of separate rooms intended for married couples there is hardly any evidence.

In more elaborate houses there were three important additions. First, there were rooms in the women's hall or *gynaekonites* on either side. But they seem to have been used for spinning and other occupations. There were only two bedrooms, one of them being used by the master and mistress of the house. Here was shifted the marriage bed which was rebuilt or readorned on the occasion of a marriage. The other important feature of the more elaborate type of house was that in a number of rooms on the two sides of the men's hall there were two which were reserved as the sanctuaries of the *theoi ktesioi* and *theoi patrooi*. Between the men's hall and the women's hall was added the dining hall, with the two bedrooms noted above abutting on its sides. The hearth of Hestia stood in the dining hall and the altar of Zeus in the men's hall. Thus the evidence of the domestic architecture of the Greeks of the mainland is not favourable to the postulation of the prevalence of the joint family system, joint in board and lodging.⁵³

We can now understand why in Greek literature there appear very few references to the kind of behaviour subsisting between such relatives as mother-in-law and daughter-in-law, father-in-law and daughter-in-law, brother-in-law and sister-in-law. It also explains the difference between books that deal with sexual life in ancient Greece and those that deal with sexual conditions in ancient India.⁵⁴ Of the few references to

the relations subsisting between 'in-laws' we know that Helen on being carried away by Paris was treated with the tenderest regard by Priam, the father of Paris and by her new husband's brother Hector.⁵⁵ Another reference to a daughter-in-law is contained in the *Odyssey*. When Nestor had to offer a sacrifice he asks it to be offered in the usual way. It appears a cow was to be sacrificed in the presence of the members of the family and blood collected in vessels. As the cow is struck 'the daughters and the daughters-in-law and the august wife of Nestor all shrieked aloud'. The cry was not one of mere sorrow but a special ritual cry for frightening away evil. 'It was an ololuge.'⁵⁶ It is likely these daughters-in-law had gathered together specially for that function. When Penelope was troubled by suitors during the long absence of her husband she deceived them by announcing that she would decide about her marriage only after finishing a large robe which she was making for Laertes, her father-in-law.⁵⁷ Penelope, the most dutiful and faithful wife among the Greeks was also a specially dutiful daughter-in-law.

At this stage we may, with advantage, study one very important function of kinship. Both in historic and prehistoric times vengeance on the murderer was regarded as a religious duty towards the slain. Vengeance on the homicide was primarily a reparation offered to the dead. Even at Athens in historical times the thought that the murdered man's spirit and other ghostly powers interested in him would take vengeance if reparation were not made to them was a potent cause of superstitious fear affecting the course of justice.⁵⁸

In Homer the obligation of taking vengeance is laid on sons, grandsons, father, brothers and *etai*. Affines are not mentioned in this connexion. Once, *anepsios*, first cousin, is mentioned as the avenger. Hiketaon and Lampus were brothers. Melanippos, the son of Hiketaon, is the avenger of Dolops, the son of Lampus. What is meant by *etai* is not clear. Schrader is positive that they are none of the cognatic relatives.⁵⁹ Burns says that they 'are usually understood to be his (the slain's) clansmen', and finds support for his opinion in one line of the *Iliad* (IX, 464), where the *etai* are distinguished from the *anepsioi*.⁶⁰ Glotz has rendered *etai* by 'companions' and contrasted them with *kasignetoι*, 'brothers'. Whereas *kasignetoι*, in his opinion, are kinsmen of some degree, who always stood

by one another, *etai* are those who are 'united in virtue of a fictitious relationship by the reciprocal obligations of a wider responsibility'.⁶¹ Burn thinks that in both the Homeric and the Hesiodic ages the avenging of blood was the duty of the next of kin and 'to some extent of the family in general'.⁶² The law of homicide as codified by Dracon (621 B.C.) is believed to have been left unchanged by Solon (594 B.C.). It placed the obligation of redressing homicide upon the kinsmen of the slain—'upon his father, brothers, and sons as prosecutors, and upon his cousins, sons of cousins, male relatives by marriage and blood-brothers (*phratores*) as co-prosecutors. A man belonging to the inner group alone had the right to bring action, or, more probably, his was the prior right, since in cases where it was permissible to arrange a settlement, even the blood-brothers were competent to act if none of the nearer relatives existed.'⁶³

Smith has concluded that the duty of vengeance devolved on three units or circles of kin, namely, the *anchisteis* in the first instance, the *gennetai* in the second, and the *phratores* in the third.⁶⁴ We have to add to this list the *oikia* or the members of the immediate family, as the primary unit concerned with the avenging of the murder of one of its members. The second unit, *anchisteis*, has its limit specified in terms of definite relationship. It ended with first cousins. The two next units concerned in blood-revenge were the *gennetai* and the *phratores*. To what extent the limits of these units can be specified we shall see later.

Solon tells us as the result of his deep reflections on human life that Providence never fails to punish vice and sees that the sinner is punished if not by any visitation upon himself then at least upon his descendants to the third and fourth generation.⁶⁵ According to Herodotus the Delphic oracle settled the quarrel arising out of the death of Candaules by decreeing that the murder by Gyges should be avenged upon his descendants in the fifth generation, and that Kroisus, Gyges' descendant in the fifth generation, had to suffer the consequences to expiate for the murder.⁶⁶ *Gennetai* would appear to have implied a circle of kin encompassed within the fourth descendant generation from a common ancestor.

It is possible that the distinction between the two units, *anchisteis* and *gennetai*, however, later became indistinct and

that the two circles coalesced, the second unit besides *oikos* charged with the duty of avenging blood ending with cousins. Plato's intended law regarding homicide of a kinsman renders this view plausible. He lays down: 'Whoever shall wrongfully and of design slay with his own hand any of his kinsmen, shall in the first place be deprived of legal privileges; and he shall not pollute the temples, or the agora, or the harbours, or any other place of meeting, whether he is forbidden of men or not . . . And if a cousin or nearer relative of the deceased whether on the male or female side, does not prosecute the homicide when he ought, and have him proclaimed an outlaw, he shall in the first place be involved in the pollution, and incur the hatred of the Gods even as the curse of the laws stirs up the voices of man against him; and in the second place he shall be liable to be prosecuted by any one who is willing to inflict retribution on behalf of the dead.'⁶⁷

The blood-feud even in early Greek history appears not to have been carried to its logical extent. Patroclus, the son of Menoetius of Opus, involuntarily slew a boy in his childhood. Menoetius removed his son to the home of Peleus. We know that Patroclus participated in the Trojan war.⁶⁸ It thus appears that temporary exile could enable a murderer to save himself from the extreme consequences of homicide. Compensation as an alternative to exile was acceptable even in Homeric society. Thus Ajax says to Achilles, 'a man accepts recompense of his brother's murderer or for his dead son; and so the slayer remains in the land instead of fleeing into exile having paid a great price and others' proud spirit is appeased'. Andrew Lang thinks that blood-money was probably accepted and that such a pacific arrangement was not thought mean or contemptible. Burn tells us that a vendetta could also be brought to an end by the murderer throwing himself on the mercy of the slain's kin, asking for their *aidos* or 'forgiveness'. And forgiveness could be bestowed originally at least, 'by the unanimous decision of the fellow clansmen of the dead man . . . within a fairly comprehensive table of kindred and affinity. Forgiveness must be given by all, or the dissentient voice shall prevail; so runs an important inscription dealing with these matters.'⁶⁹

There were a number of murders committed within the group of near kindred, nay, even within the family circle.

According to post-Homeric authors, Atreus and Thyestes murdered their half-brothers and were obliged to fly to Mycenae where Atreus remained as king. Thyestes was banished by his brother for having intrigued with his wife. The murder of Agamemnon by Aegisthus in the next generation was considered to be the vengeance wreaked by Aegisthus for the wrong done to his father Thyestes by Agamemnon's father Atreus.⁷⁰ This is a feud within the family. But the original murder is evidently atoned for by exile; and we should conclude that the chain of later events as vengeance is in all probability the imaginative work of tragic poets. Tydeus, the king of Calydon, is said to have killed either his father's brother or his mother's brother, or his own brother, or his father's brother's son. He fled to Argos where Adrastus is said to have purified him of the murder.⁷¹ Hepolemos is said to have killed his mother's brother Likymnios, and was obliged to flee to escape the wrath 'of the other sons and grandsons of the mighty Heracles'. As a result of a quarrel over a kill the Calydonians and the Curetes waged an open war against each other. In one of the fights Meleager killed a prince of the Curetes, who was his mother's brother. For a time the warfare continued with success for the Calydonians. Subsequently, when his mother pronounced a curse upon him, Meleager instead of joining in the battle stayed away at home. All persuasion and promises, whether by the people or by his father and his sisters proved futile in inducing him to join in the battle. As the Homeric account tells us he yielded at last to the prayers of his wife, joined the battle and defeated the Curetes, but never returned home, his mother's curse having taken effect. It is to be noticed that in this feud the wife and mother sides with her own kin against her husband and son.⁷²

We expect that the tie of kinship should have a strengthening function in blood-revenge. The nearest group of kinsmen upon whom was thrown the primary duty should have felt closely drawn together by this common additional interest. They should have felt the solidarity that a group which is called upon or expected to defend its members against other groups or their members should naturally feel. Yet the examples given above do not reveal such a state of affairs. It must be concluded, therefore, that the duty of blood-revenge as a function of kinship was becoming dim, or had become dim, even in

Homeric times. This conclusion is further supported by the fact that a person could be avenged by his *etai* or companions and had need for them.

While studying the behaviour patterns subsisting between relatives other than mother and father, we cannot totally ignore the fact that two or perhaps three ancient personages murdered their mother's brother. Lest, however, this observation should lead one to the conclusion that in ancient Greece, people felt antagonistically towards their maternal relatives we should mention that there were a number of persons who were either brought up by their mothers' fathers or fled to them for safety or were called upon to take their thrones. Diomedes the son of Tydeus succeeded Adrastus, his mother's father, as the king of Argos, Adrastus' only son having died previously. Adrastus himself was once expelled from Argos and had to flee to his mother's father, Polybus, whom he succeeded as the king of Sicyon. Evidently Polybus had no son. Pyrrhus or Neoptolemus, the son of Achilles, was brought up in Scyros in the home of his mother's father till he was brought by Ulysses to fight in the Trojan war.⁷³ Not only did the daughters' sons succeed to the thrones of their mothers' fathers in default of male issue but also many of them were actually brought up in their mother's family.

It seems the mother's father had some voice in the bestowal of a girl in marriage. We are told in one account that either in ignorance of or notwithstanding Hermione's betrothal to Neoptolemus by her father, Menelaus, her mother's father, promised her to Orestes and actually gave her in marriage to him.⁷⁴

At the murder of Agamemnon, his daughter Electra managed to send away her brother Orestes to Strophius, the husband of Agamemnon's sister Anaxibia. Here is the case of an individual being brought to safety in his father's sister's house. While there, he grew up in the company of Pylades, the son of Strophius and Anaxibia, 'with whom he formed that close and intimate friendship which has become proverbial'. Another well-known friendship in early Greek literature was that between Patroclus and Achilles. Patroclus was the agnatic first cousin of Achilles' father and thus stood to him in the generation of uncles or father's brothers. This friendship, too, was the result of living together. Patroclus, who had com-

mitted homicide, was removed for safety to the home of Peleus, the father of Achilles, and had to live there for some time. It is seen that in this instance the person was sent for safety to his father's brother's son's house. We may legitimately conclude that when safety was sought in ancient Greece it was sought indiscriminately either with the father's or mother's relatives.⁷⁵

The Trojan Aeneas was, according to the Homeric account, brought up in the house of his sister's husband.⁷⁶

We have seen that in the plan of a Greek house there was provision both for an altar and a hearth. The altar, which was situated in the centre of the front room, was known as the altar of Zeus, *herkeios*, and it used to be the shelter of all refugees. Plato in his *Laws* refers to Zeus as 'the God of kindred and of ancestors'.⁷⁷ The hearth was known as the hearth of Hestia and was situated in the room next behind the front room. The fire in this hearth had to be kept alive from day to day. This cult of the fire was very old and is mentioned in Homer's works. Aeschylus (525-456 B.C.) represents Agamemnon, after his return from Troy, as making a thanks-offering to the fire in his own house. Euripides makes Orestes, when exhorting his sister to leave their mother's home, frame his appeal in reference to their ancestral hearth in the following words: 'Leave this place and go towards the ancient hearth of Pelops, to hear my words.' In another work of his he makes one of his characters address the family-fire as the guardian of the interests of the family. Alcestis prays: 'O divinity, mistress of this house, for the last time I fall before thee, and address thee my prayers, for I am going to descend among the dead. Watch over my children who will have no mother; give to my boy a tender wife and to my girl a noble husband. Let them not, like me, die before the time; but let them enjoy a long life in the midst of happiness.'⁷⁸ According to Farnell the cult of Zeus, *herkeios*, and of his holy hearth, which was a domestic cult in the early days, was later interwoven into the higher and broader religion of the State.⁷⁹ We have seen that, at a Greek marriage fire was kindled by the new couple in their home from the fire brought from the wedding. Schrader is positive that like the Indians and the Teutons the Greeks had a custom, even in the most ancient times, whereby 'when a son marries he leaves the paternal house, kindles a hearth-fire of his own, and founds a new home'.⁸⁰ This worship of the

hearth-fire, however, cannot be construed to imply distinctness and continuity of family-worship from generation to generation, nor can it be interpreted to mean worship of ancestors. The very fact that the deity of the central hearth, Zeus, was common to all families and that there is no mention of specific ancestors of any family associated with him, inevitably leads to the conclusion that the worship of the hearth and its deity was not an exclusive family worship, nor an aspect of ancestor-cult.

This does not mean that there was no ancestor-cult in ancient Greece. As a matter of fact we have noted above that in the plans of elaborate houses of post-Homeric times there were rooms to accommodate the deities called *theoi patrooi*; and we must now attempt to understand the significance of this feature.

There has been a good deal of difference of opinion as regards the prevalence of ancestor-worship in Greece. Part of this difference is due to the failure of early scholars to distinguish clearly, as Farnell points out, between three aspects: (1) hero-cult; (2) some tendance of the dead; and (3) ancestor-cult. The other part is to be attributed to the absence of any distinction between earlier and later authorities. Coulanges, while describing the worship of the dead among the Greeks, really describes the hero-cult, more or less as it occurs in the works of authors like Euripides. In this cult it was believed that if the funeral repast ceased to be offered to the dead, they became wandering shades, reproaching their living relatives and seeking to punish them. On the other hand those who were properly attended to, became tutelary deities and tried to help their living relatives. He quotes Electra's address to the manes of her father as framed by Euripides: 'Take pity on me, and on my brother Orestes; make him return to this country; hear my prayer, O my father; grant my wishes, receiving my libations . . . Give me a heart more chaste than my mother's, and purer hands.' He tells us that such human souls as were deified by their death were called by the Greeks demons, or heroes.⁸¹

Hearn, following the lead of Coulanges, while dealing with the worship of deceased ancestors in ancient Greece, draws our attention to house-spirits and their various designations. According to him they were called *daimones* and heroes. They were also called the Gods of the Hearth, or Penates; *theoi*

patrooi, *theoi eggenaeis*, *theoi homognioi*, *theoi sunaimoi*, or Gods of the Fathers, Gods of the kin, Gods of the same race, Gods of the common blood respectively. Both authors depend on the same text of Euripides. Further, Hearn holds, on the authority of Demosthenes, that 'the proper legal evidence to establish kinship was the proof that the alleged ancestor and the alleged heir observed a common worship and shared in the same repast in honour of the dead'.⁸² Schrader, writing in 1890 and basing his argument on Homeric evidence, rejected the opinion of Leist that ancestor-worship was an item of Indo-European culture from the earliest times. He pointed out that the Homeric conception of Hades, whither the soul repairs after death, is a place of terror; the kind of life that the departed lead there is shadowy, and contrasts the Hesiodic conception of the region of the heroes. He remarks: 'Who can doubt that here we have, gradually appearing, a new belief, which is only to be understood in view of Oriental tales and teachings?' Finally he concludes that there was no satisfactory explanation why there was no ancestor-worship in earliest Greece, when the 'idea of the continued existence of the departed and the necessity of worshipping them' did not exist. This idea and resultant practice developed only later.⁸³ In his later work, his article on Aryan religion written in 1909, he gives details about this later development. He states that an Attic maiden on the occasion of her marriage offered a sacrifice to the souls of her ancestors before her departure from her parental home. He maintains that the Greek term *goneis* corresponds to the Great Russian expression *roditali*, literally 'parents', and stresses its similarity with Sanskrit, *pitaras*, which is the technical designation of the worshipped ancestors. He further mentions the Greek word *tritopatores* and equates it with great-grandfathers. 'These are the ancestors to whom the inhabitants of Attica, at the celebration of a marriage, pray for the blessing of children. Thus we get the designations 'fathers', ('parents'), 'grandfathers' [this refers to the practice of the White Russian peasants to designate the worshipped ancestors by the term *dzjady*] and 'great-grandfathers', and it is not a matter of chance that in the Indian ritual the offering of cakes and water is dedicated to these three.' Quoting from the Hindu lawgiver Manu that libation of water and cakes are offered only to one's three immediate ancestors, he observes:

'In the same way this "three-fold circle of fathers" is embraced by the Greek *goneis*.' For the interpretation of the Greek word *goneis* he draws upon the lawyer Isaeus (fourth century B.C.).⁸⁴

Burn, too, writing in 1936, thinks that ancestor-worship is not detected in Homer's works. 'The Homeric heroes notoriously have *not* long pedigrees.' They do not seem to care about annual rites at their ancestors' tombs, as sons irrespective of their ranks are represented in the legends to leave their home and settle elsewhere in search of fortune. Menelaus and Agamemnon propose to Odysseus and Achilles respectively that they should leave their fathers' kingdoms in order to settle elsewhere. Homer's works reflect deepest melancholy over the idea of annihilation by death, as Homer and his society had no adequate solace to offer. It was a new Greek society that accomplished this task by way of its social solidarity. 'The sting of death was removed, so far as might be, by the securing of a meed of remembrance not only by great chiefs but by every man who left citizen sons behind him. They developed ancestor-worship . . . or, at least, the tendance of the ancestral tombs.' It became an article of faith that a man lived in the persons of his children so long as due offerings were brought to his tomb annually. A man honoured his departed ancestors as he did his parents while the latter lived. Lawyers of the fourth century B.C. based the claims of their clients on this feature of social duty. The appeal of Isaeus in the case regarding the property of Philoktemon may be quoted as an illustration: 'You must ask yourself, therefore, gentlemen, whether it is for that woman's son to be Philoktemon's heir, and to visit his tomb with drink-offerings and sacrifices or for his sister's son whom he himself adopted.' At certain festivals 'the family ghosts were remembered and given their offerings of food and drink'. Men felt that with this help they could continue a kind of existence after death.

Burn traces three traits of Greek culture to this complex of belief and practice. First, a Greek soldier was expected to fight, and even to die, to secure 'the ashes of his fathers'. Second, a person who came in possession of a household, and was therefore 'its owner for the time being' was not to sell or part with the family estate and its tombs. Third, adoption,

whose sole object was to secure that a family or *oikos* does not perish, may also be traced to the same belief and practice.

Isaeus calls adoption a universally approved custom used by people to avoid childlessness. Arguing the case of his client regarding the property of Menacles, whose adopted son the client was, as against the brother of Menacles, he calls the brother an unnatural person. He bases his appeal for his client on the sentimental idea that the brother in urging his claim to the property of the deceased was trying 'to bring it to pass that no one shall observe the ancestral festivals for him, or sacrifice to him year by year; he is robbing him of his honour'.

Burn, like Hearn, opines that the sentiment of family solidarity and the attendant ancestor-worship which was absent in Homeric society and was developed later, makes its appearance in the agricultural society like the one represented by Hesiod. He thinks that it is the stable agricultural society, with landed property vested in the heads of households, that gives rise to family solidarity. He observes: 'Since the same families have often held the same land for many generations, a powerful sentiment of attachment to both land and family has developed, and to lose possession of the old home, the farm or estate where one was born and bred, where one's father and grandfather lie buried, and where one looked to see one's children come after is universally held to be Not Beautiful; which is the Greek for Not Done. This sentiment, so natural to a farming and home-keeping society, was probably reinforced by withering of individualism after its efflorescence in the Heroic Age.'⁸⁵

Of the three elements connected with ancestor-worship the cult of heroes, though frequently overlapping the cult of ancestors, may be thus distinguished from it. The hero is a person who is considered to be possessed of supernatural power and deserving of being revered and propitiated, either because he was very powerful in his lifetime or because certain peculiar circumstances attended his death. It need not be confined to his locality but may pass far beyond it. Thus his worship may be based on affection as well as fear. The ancestor, on the other hand, is the reputed founder of a family or a clan and his tomb remains in the possession of his family or clan whose members conduct periodic rites at it. In ancestor-worship, as Farnell

observes, 'the tie is that of kinship and the cult is based, at least in part, on reverential affection'.

The heroes worshipped by the Greeks were of many kinds. There were epic heroes of human legend, eponymous heroes and historic and real personages who were honoured with semi-deification and appropriate worship. The 'functional heroes seem at first sight nothing more than shadowy potencies of the field and fold, of the human household or State, or sometimes of the arts and higher functions of life, and they are called indifferently *theoi*, *daimones*, *heroes*'. Of the epic personages Achilles, Ajax, Agamemnon, Diomed, Odysseus and Philoktetes 'have the air of being post-Homeric and by no means primary and aboriginal'. Their cult was spread over the Mediterranean in all sorts of places, irrespective of ethnic or local affinity. The heroes from the house of Pelops, on the other hand, had their hero-cult strongly established on their ancestral soil. Farnell believes that in the genesis of hero-worship the epic has played its own part and admits that there are some heroes in Homer who 'were already enjoying ancestral heroic cult in their own homes among their own kinsfolk before Homer took their names and wove them into the great fabric of his song'. Thus, in his view, hero-cult, at least in regard to some of the heroic cult-figures, might have begun before Homer, the epic influence only diffusing and quickening the existing cult.

When hero-cult centres round real personages it is hardly distinguishable from ancestor-cult. There are a number of historical personages, of whom perhaps Lycurgus is the greatest, who received posthumous worship, dating from before the fifth century B.C. There is also archaeological evidence of the sixth and fifth centuries B.C. attesting to the cult of the dead. How in this aspect the hero-cult is almost indistinguishable from ancestor-cult is best illustrated by the different classification of some Spartan reliefs of the sixth century B.C. proposed by great scholars. The reliefs show a male and a female figure enthroned together with a serpent almost standing on its tail and holding its hood over them, and receiving some offerings, which are brought by two personages who are believed to be the living worshippers. One of the enthroned figures, the male, holds a wine cup, evidently to receive the libation of wine. The female figure holds her veil and a pomegranate, 'the

recognized food of the dead'. Farnell refers to these reliefs as evidence of hero-cult and interprets them 'as the representation of heads of families, heroized on their decease'. Percy Gardner, on the other hand, calls it a monument 'belonging to the worship of ancestors, which seems in the conservative Dorian states of Greece to have been more strongly developed than elsewhere'.⁸⁶

Farnell is not prepared to assign priority to the ancestor-cult over the hero-cult or vice versa, but observes that both are found operative simultaneously. He introduces the study of ancestor-cult by reviewing the nature of 'religious tendance' offered to ancestors. Its nature is simplest to understand as it centres round nameless ancestors, 'a mere group of tribal or family ghosts, lacking the individuality and personal prestige of heroes'. First among such tendance was the ritual of sorrow, called the *genesia*, performed by the *genos* or clan. It was in honour of ancestors called by the generic name *goneis*. Farnell is reminded of Sanskrit *pitri*, 'Fathers'. The ritual consisted partly in hilarious and genial drinking, called 'the Feast of the Cups', and partly in the adoption of prophylactic measures intended to keep spirits at a distance. The prophylactic measures had to be taken on the day when the souls of the departed were supposed to ascend to the upper world. The last day of a festival of this kind was known as 'the Feast of Pots'. On this day the departed were 'specially invited to arise from their tombs and to enter the houses of their living kinsfolk'. The ritual closed with the sending away of the ancestral ghosts. The whole of this ritual, in the opinion of Farnell, was in existence before the eleventh century B.C. Here 'we have then a glimpse revealed of Attic beliefs of the days before Homer'. In this ritual Farnell rightly finds no hint of worship properly so-called. There is neither any prayer to the dead, nor are blessings sought for. The belief that must be necessarily taken to underlie the ritual is that the spirits of the departed continued a kind of existence, and depended for it on food and sustenance offered by the living. It demonstrates the existence of a desire in the surviving kin to minister to the needs of the spirits; and 'periodically to invite them to a loving reunion with their old household'. Fear and affection were both mingled in the tendance of the dead from the earliest times, the emotion of fear getting stronger in the post-Homeric period.

In Farnell's opinion there is sufficient proof in the Homeric poems of the prevalence of the belief in the survival of the soul after death. The nearest kinsmen of the Hellenic tribes, the Thraco-Phrygians, show the same belief even perhaps earlier, i.e., from the second millennium. Taking the Homeric poems as a whole he thinks that only on a superficial view one would be inclined to conclude that no worship was offered to the departed spirits. The recently departed soul is regarded as a frail unsubstantial thing and the Homeric ghost is rather pathetic. There is a passage in the *Odyssey* which testifies to some regular ceremony connected with the worship of the departed spirits.⁸⁷ We must conclude from this that Hearn and Burn erred in denying the existence of all belief in ancestor-cult in Homeric society. And we must seek the explanation of the comparative silence of Homer about ancestors, their tombs and the tendance in the peculiar features of the life of migratory tribes. It appears to us that Gilbert Murray has already offered that explanation. He observes: 'But the men of the Migrations had left their fathers' graves behind them. The ghosts whom they ought to have fed and cared for were waiting in the old lands helpless, with parched lips, staring through the dark earth that lay above them. And in the new lands where now they trod, they were surrounded by strange graves where lay not their own fathers, but the fathers of the men they had wronged and slain, ghosts who hated them.'⁸⁸

Having seen that there was some kind of tendance for the dead even in Homeric society let us now pursue the course of ancestor-worship in its developed form. Indeed, Farnell tells us that some form of ancestor-cult was of indefinite antiquity in Greece.⁸⁹ Schrader's opinion that *goneis* included the spirits of three ascendants is not supported. We have already seen the nature of one of the rituals connected with the dead. Herodotus mentions that these annual sacrifices to the dead were called *genesia* from which name it is inferred that they were offered on the birthday of the deceased. Among the libations were those of wine, oil, milk, honey mixed with water or milk, which were poured on the ground. 'Elaborate banquets were sometimes prepared, burnt in honour of the dead, and buried in a trench.'⁹⁰ To turn from the annual ritual to what was done at the funeral of a person we may notice the feast held on the third day after the funeral. It was held in the house of the

departed; and the living and the dead were believed to be feasting together, with the spirit of the dead as the host on the occasion. There was another feast with similar belief held on the thirteenth day after death.

For the understanding of the ancestor-cult the Athenian cult of the *tritopatores* is of singular interest. We have seen that Otto Schrader takes the term to mean 'great-grandfathers' and thus tries to establish the identity of the Greek ancestor-cult with the Indian cult of the manes. He also states that ancestors were propitiated at the time of marriage. This observation is greatly misleading. He makes it mainly on the authority of Photius, a Greek writer of the ninth century A.D. Even Photius, it appears, did not state that an offering to the ancestors was universal, as we can infer from Farnell's statement that such an offering was 'sometimes included in the marriage ceremonies'. Further the ancestors to whom the offering was sometimes made are named *tritopatores*, whom Farnell describes as 'the fictitious ancestors of the *gene* or kinship-groups'. Unfortunately, Farnell in the same work at another place renders *tritopatores* by 'great-grandfathers'. Writing about the *phratRIA* and the bond of kinship, or supposed descent from a common ancestor, of *phratores*, he supports the theory of common descent by pointing out that 'some of the Attic phratries had their own special cult of the *tritopatores*, "the great-grandfathers"'. In his later work, about the *tritopatores* Farnell remarks: 'Their name clearly reveals them as "fathers of the third degree back", and thus bears the stamp of primitiveness upon it, for, the "third degree" was an early expression of an indefinite remoteness of ancestral affinity.' There is inscriptional evidence that each Attic phratry sacrificed to its own *tritopatores*, 'as a vague group of the fathers of the kindred'. Though Photius in the ninth century A.D. mentions offerings made to ancestors on the occasion of marriage, the only early authority for the prevalence of this practice is a passage in the *Choephoroi* of Aeschylus (fifth century B.C.). In that passage Electra 'vows to the spirit of Agamemnon that she will bring him libations from her inheritance on the occasion of her marriage'. Hesychius (fifth century A.D.) tells us that by the classic period the *tritopatores* had already developed into the spirits of the winds and were worshipped as the fertilizing winds.

Liddel, Scott and Jones, in their *Greek-English Lexicon* render *tritopator* by 'great-grandfather', but *tritopateres* by 'ancestors' and *tritopatres* by 'divinities worshipped at Athens'. They quote with disapproval the interpretation put on the word *tritopatores* by Farnell and the lexicographers. From the aforementioned history of the concept before us, we may confidently conclude that *tritopatores* could not have signified great-grandfathers but must have meant remote ancestors.⁹¹

As for the custom of making an offering to ancestors as a part of the marriage ceremonies, Farnell in his later writing holds that the offerings were generally made on the occasion and interprets that practice as implying the idea that 'the ancestral spirits fostered the life of each new generation'. Such an idea may imply the belief that the soul of an ancestor is reborn in the family. And the existence of such a belief is rendered probable by the prevalence of the custom of naming a new-born child after its deceased grandfather.⁹² We have already noticed that accounts of marriage-rites given by a number of writers mention deities like Zeus and others in connexion with marriage.

We have seen that Aeschylus' reference to offerings on marriage has in view only the deceased father of the bride or bridegroom. According to Zimmern⁹³ every *phrator*, even in the fifth-century Athenian life, had to offer a wedding sacrifice in the presence of the *phratores*, evidently at the centre of the *phratia*. It is probable that the ancestor meant in the wedding sacrifice was only the deceased father or grandfather in the domestic rite, and the remote ancestors in that of the *phratia*.

Plato, who in his *Laws* stresses the importance of honouring one's father and grandfather while living, does not mention either worship of the ancestors or their connexion with marriage and generation. Says Plato: 'He who honours his kindred, and reveres those who share in the same Gods and are of the same blood and family, may fairly expect that the *Gods who preside over generation will be propitious to him, and will quicken his seed.*' His exhortation regarding marriage, too, does not refer to any needs of ancestors. He says: 'Let this then be our exhortation concerning marriage, and let us remember what was said before—that a man should cling to immortality, and leave behind him children's children to be the servants of God in his place for ever.'⁹⁴

We may conclude from this survey of religious tendance of the dead and of ancestor-cult that some kind of tendance of the dead can be discerned among the Greeks from even before the tenth century B.C. And there is indirect evidence that it was growing into actual worship of the dead from the eighth century onwards. Early legislators were busy trying to repress excess and extravagance in funeral ceremonies. Reformers strove to tone down the habit of worship of the dead. By the fifth and fourth century B.C. rites for the recently dead had become fairly simple; and their connexion with marriage and procreation, if there was any, had become tenuous.

The tendance or worship offered was to 'ancestors' in general, who would appear to be the ancestors of not only one *oikos* but of many related *oikoi*, in short, of a *phratría*. Each *oikos* probably added to the list of the common ancestors only one specific ancestor, namely, the recently-deceased owner of the household. The *tritopatores* were not the great-grandfathers of this *oikos* or that *oikos*, but the ancestors in general of the related *oikoi*, that is of a *phratría*. Only a hypothesis like this explains the fact that the ancestors are mentioned in general without specification. Offerings are nowhere mentioned as having been made to one's specific grandfather or to one's specific great-grandfather. Nor was kinship tried to be derived through the possession of the same specific ancestors but was based on common ancestors in general. The only feature connected with ancestor-cult that seems to go against this hypothesis is the surmise made from the name of the annual ritual of the dead, *genesia*. It is surmised that the annual worship or sacrifice was offered on the birthday of the ancestors. But this surmise is neither supported by contemporary ritualistic evidence nor is it deducible from the practice. If there were more ancestors than one and if the worship was offered on the birthday of each then there would have been many annual sacrifices and on different days of the year. We must conclude, therefore, that the annual day or period for the worship of the ancestors was only conventionally fixed and had no connexion with the birthday of any specific ancestor. General ancestors, i.e. ancestors that were common to the gens or phratry, were also the remote ancestors of an individual *oikos*. This type of ancestor-cult tended to bring together the individual *oikos* into the larger union of the *phratría*. In the

matter of ancestor-cult then, there was hardly any separation of interest; or rather, the separation of interest having centred round only the recently-deceased owner of the household, the common interest was so predominant that the ancestor-worship to be offered by the *oikia* and that to be offered by the *phratores* tended largely to be common to both. We should like to stress in support of our conclusion the thesis of Farnell that the larger religion of the Greek state was but an extension of the family religion and was interwoven with it.⁹⁵

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CHAPTER VII

IN GREEK CULTURE—II

WE have incidentally referred to adoption in connexion with the description of ancestor-cult. Now we shall have to study it in detail to see what light it throws on Greek kinship. A man could adopt a son either in person or in his testament, if he had no male offspring. On adoption the adopted child was transferred to his adoptive father. He inherited the property and performed the rites of the household of his adoptive father. He was registered as his son but had not to adopt his name. On adoption he lost all the rights that he had on his natural father but retained those on his mother. Only an Athenian citizen could be adopted. Even females could be adopted, especially by testament.¹ As to who could be adopted evidence from actual practice left to us does not seem to prescribe any limit. We find from Isaeus (fourth century B.C.) that one man adopted his sister's son, and another, his brother.² We have already seen some examples, recorded in early literature, of persons being nurtured by their mother's father and even succeeding to his property in case the mother was the only daughter of the grandfather.

It seems that a brotherless girl occupied a special position as the heiress of her father's property from early times and was called *epikleros*. Though a woman could not be the head of a family, nor conduct the family-rites, the brotherless girl could almost do so as she might bear a son who was entitled to do so. In such a case the property was intended to pass to her son, the grandson of her father. It is here that Solon introduced a limited power of testation in the law of property through the legal fiction of adoption. It became the practice for the son of an heiress to be adopted into his maternal grandfather's house to become his son in point of law. It is interesting to notice that while in ordinary adoption the adopted son was not required to adopt the name of his adoptive father, in the case of the son of an heiress it was otherwise; for he generally took the name of his maternal grandfather. Hearn, however, opines that in such cases there was no formal adoption but only a stipulation at the time of the marriage

of the daughter that the son of the marriage, or one of its sons, should belong to the daughter's father. He observes: 'So common was this custom at Athens that a special name (*thugatridous*) was used to express the relationship.'

Demosthenes records an interesting case of claims to the property of one Hagnias. One Eubulides contested the claim with one Macartatus. The father of Macartatus was a second cousin to Hagnias, while the mother's father of Eubulides was a first cousin to Hagnias. Eubulides contended that as the son of the daughter he was the son in effect of his maternal grandfather, who was a first cousin to Hagnias, and thus was the first cousin's son of Hagnias, whereas Macartatus was the second cousin's son of Hagnias. Eubulides, therefore, being the nearer relative, pressed his claim to the property of Hagnias. Here what we want to draw attention to is not the peculiarities of the law of inheritance and succession but the fact that Eubulides based his contention on his claim as the son of his maternal grandfather. This brings into clearest relief the then prevailing attitude towards a daughter's son. An only daughter's son, *thugatridous*, was as good as a son.³

In Greek as in Roman law the institution of property was so closely connected with cultus that the former could not be acquired without obligations in respect of the latter nor could cultus be undertaken without a share in the former. It was imperative that the family or *oikos* should not be extinct. The family property and family cult were, therefore, conceived as forming together a whole, which was to be kept stable in the hands of successive generations of male representatives. To achieve this it appears that family in its extended form as *genos* was made the basis for rights of property and succession.

At Athens succession went according to stocks. A man's lineal descendants, i.e. his own stock was entitled to the deceased's property first, the males having precedence over the females. The deceased's sons shared equally. 'Sometimes the sons lived on the joint, undivided property, sometimes they divided the money and possessed the other inheritance in common.' Sisters had no claims to a share but only to a suitable marriage portion. On failure of sons and their issue, daughters and daughters' children succeeded, taking *per stirpes*. 'There seems to have been no limit to the succession in the descending line.' As against this opinion it must be

pointed out that in the discussion of cases of succession and inheritance Athenian lawyers did not illustrate the cases with further descendants than grandsons. Secondly, as we shall see presently, a great-grandson of a common ancestor might succeed to the estate of a grandson of that ancestor but two great-grandsons of a common great-grandfather could not succeed to each other. Thirdly, the Code of Gortyn in Crete specifically mentioned in the line of descendants great-grandchildren as entitled to succeed to the property of the deceased. Under these circumstances we think that in Athenian society the proper view of the furthest limit of succession in the direct descending line is that though it was not precise, yet in all probability it did not extend further than the grandson.

Right of representation existed. This means that a son on his birth acquired a right in his father's property or inheritance. The grandsons of a deceased thus divided the inheritance *per stirpes* and not *per capita*. They were entitled to claim their share of their grandfather's property, if their fathers had predeceased their grandfather, with their father's brother. The principle of representation was so firmly established that it worked successfully against another deep-rooted idea whereby a brother superseded a sister. Thus if a deceased person had a granddaughter by one son and a grandson by another, both the granddaughter and the grandson shared equally. However strong the idea of a son's right to a share in the property of his father might have been, it nevertheless was not strong enough to establish his right of demanding partition *vis-à-vis* the father. We have already noticed the case of Pericles' son and how he could not create, during his father's lifetime, any encumbrance on his father's property.

The second stock was formed by the descendants of the father of the deceased. In this case we are told exactly where the downward inheritance stopped. Thus brothers and brothers' children, children of a deceased brother taking the share of their father, succeeded. Failing them, sisters and sisters' children came in under the same principle of representation.

The third stock was formed by the descendants of the grandfather (father's father) of the deceased. Uncles, cousins and cousins' children came in first, failing whom aunts and their issue succeeded. Males and their issue were preferred to females and their issue. Thus one's agnatic male first cousin's son

excluded the daughter of an uncle and the grandson of an aunt, her daughter.

If the above stocks did not have a relative up to and inclusive of the degree of cousinship once removed, then the inheritance passed to the collaterals and the descendants of the deceased's mother up to the same degree of relationship, namely, cousinship once removed.⁴

The circle of relatives formed by first cousins once removed was known as *anchisteia*, which as we have seen was also the limit of kinship for principal prosecutors in a blood-feud. Woodhouse observes: 'The downwards and outwards limit, which was also the limit of *anchisteia*, was given by the deceased's first cousins once removed, i.e. children of his first cousins. That is to say, ultimately any great-grandson could claim as heir-at-law to succeed any grandson of a common ancestor; with respect to that inheritance a new succession began at this point so that second cousins, as such, had no claim upon one another's estate, but each found his heir, failing a son, in the circle of his own *anchisteia*.' *Anchisteia*, accordingly, 'did not embrace sons or grandsons but meant those who succeed, on failure of linear heirs, and must therefore prove their title'. This kin-unit marked the limits of direct inheritance in cases of intestacy, the agnates taking precedence over the cognates. According to Hesychius the distant relatives were called *cherostai* as opposed to *anchisteia*.⁵

Older writers on the subject, eager to prove unity of Indo-European culture and perhaps beguiled by the vague phrases of the times, compared the various groups of kin operative among the Greeks and those among the Hindus and established their identity. It is necessary to examine these supposed identities or correspondences in order that we may be able to attach specific and appropriate meanings and extent to the various named groups of kin among the Greeks.

Coulanges based his idea of Greek kinship on Plato's remarks and considered it to mean 'the community of the same domestic gods'. He supported his contention by the remarks of Demosthenes. Coulanges observes: 'Two men could call themselves relatives when they had the same gods, the same sacred fire and the same funeral repast.' In this connexion he refers to the distinction drawn by Hindu writers between *sapindas* and *samanodakas*.⁶

Hearn tells us that in the speeches of the Attic orators near relatives are usually *anchisteis* as opposed to *eggeneis*. Sometimes the terms so contrasted are *suggeneis* and *gennetai*. On the authority of Pollux (second century A.D.) he regards the *gennetai* as the members of a *genos*, who were also called *homogalaktes*, not because they were related by birth but because of their festal assembly. He gives reasons why the term *homogalaktes* should be taken to mean 'those who offer the same milk, and not those who are nourished by the same milk'. He takes the term *homogalaktes* to correspond to the Sanskritic *samanodakas*. Thus according to Hearn the terms *anchisteis* and *suggeneis* are more or less coterminous and stand for the inner circle of kin as opposed to *eggeneis*, *gennetai*, and *homogalaktes* which represent the outer circle coterminous with the *genos*. He draws our attention to the distinction made by the Hindu lawgiver Manu between *sapindas*, or 'persons connected through the cake', and *samanodakas*, or 'persons connected through libations of water'. He too misrepresents the limits of *sapinda* and *samanodaka* as can be seen from the following quotation: 'All those persons are *Sapindas* who have a common great-grandfather or other nearer ascendant, that is, second cousins and all nearer relatives. All those persons are *Samanodakas* who have a common great-great-grandfather, or other more remote ascendant, that is, third cousins and all more distant relatives. In the former case, the common ancestor who marks the limit is the father's grandfather. In the latter case, it is the grandfather's grandfather.' Later in the book he gives a different interpretation of *samanodakas*: 'The *samanodakas* end with the fourteenth degree. That degree means that the relatives were fifth cousins, and descended from a common third grandfather.' Thus Hearn looks upon *samanodakas* as the descendants of a common sixth ancestor.*

The common sixth ancestor is reached as the head of the third upward unit of three generations each. The first unit of three generations is given by the ego, his father and the father's father. The second unit is given by the father's father, his father and grandfather. The third unit is formed by the grandfather's grandfather or the second grandfather, his father and grandfather, who is the third grandfather. This arrangement of kin and the utmost extent of *samanodakas* given by it

* For the correct interpretation see *supra*, pp. 70-3.

led Hearn to seek for further evidence in Greek life and literature to establish a complete identity between the Greek and Hindu units of kin. He found this evidence in what he calls the law of Three Descents. The old Greek nobility was known as Eupatrides. He tells us that 'a Eupatride was a man who could show his grandfather's grandfather'. Candidates for a particular office had to establish that their grandfathers were Eupatrides. Thus candidates for that office had to show not only their grandfather, but the latter's grandfather's grandfather as well, i.e. one's sixth ascendant or the third grandfather. He further points out that the Greeks had 'the remarkable word *trigonia*', which indicates the recognition of the law of Three Descents. Though the great orators and poets used the word *trigonia* generally in a figurative sense, he thinks that the evidence of that word to prove the existence of the rule of Three Descents is not weakened. To support his contention about the existence of the unit of seven generations as a kin-group in ancient Greece he invokes Plato's remarks that the Athenian aristocrats took pride in the enumeration of seven ancestors.⁷

Jevons tells us that failing one's descendants one's property passed to the members of the joint undivided family of one's father. Consequently property descended to the ego's 'father's descendants to the third degree', that is, to his brother, his brother's son or his brother's grandson. This circle of relatives was known as *orgeones* at Athens and as *homokapoi* in Crete. Failing the *orgeones* the Greeks assumed that as the deceased would have been a member of the undivided family of his grandfather his property would descend to his grandfather's 'descendants to the third degree'. The circle of these relatives was known at Athens as *homogalaktes*, the limit of the near kin according to Greek ideas. He observes: 'At Athens the *orgeones* were a man's descendants to the third degree; and *trigonia* or the Triple Descent has left traces elsewhere in Attic law.' It is clear that Jevons recognizes the application of the rule of Three Descents in the recognition of the unity of three generations. In the view of Jevons *homogalaktes* would appear to be equated with *anchisteis*. And *anchisteis* according to him extended, like the Saxon *maeg*, only to first cousins. Jevons further identifies *orgeones* with the *sapindas*. '*Sapindas* were those persons of male sex who united in offering a funeral oblation (a cake) to the deceased House-Father; and who

continued in Aryan times, and in India do continue to this present day, in what modern Anglo-Indian lawyers call a Joint Undivided family. If one of these *sapindas* in his turn died, his share in the joint property and his acquests went "to the nearest *sapinda* after him", that is in the first instance to his brother, and then to his nephew, provided always that the property did not pass further than the third degree from the deceased House-Father, i.e. did not pass further than his brother's grandson. Manu expressly says, "For three ancestors is the funeral cake ordained".⁷ Having equated *orgeones* with *sapindas* he equates *homogalaktes* with *samanodakas*. And he explains the latter term as 'the descendants of his grandfather, to the third degree. And the descendants of his grandfather to the third degree are his uncle, his cousin and his cousin's son'. He observes, 'They are called *samanodakas*, offerers of a joint libation, because when the House-Father dies they join in offering a libation at his funeral. In Athens they were called *homogalaktes*, because the joint libation was—not, as among the Hindus, water but—milk.'⁸ It is evident that Jevons' account is much more erroneous than that of Hearn.

Leaving aside the correspondences that are tried to be established by the above scholars between Hindu kin-units and Greek kin-units as erroneous, we shall concern ourselves here principally with the Greek kin-units and their limits. At the outset it must be pointed out that the limit of *samanodaka* relationship set down by Jevons is on all counts too narrow. It does not therefore mean that the limit of the Greek kin-circle, which according to Jevons, corresponded to the Hindu circle of *samanodakas*, is not correct. As a matter of fact, the error that has entered in Jevons' reckoning of the Hindu kin-unit of *samanodaka* is due to his acceptance of its identity with the Greek kin-group of *homogalaktes*. The proper procedure is to try to fix the limits of various kin-groups recognized in Greek life and literature and then to institute comparison with Hindu kin-groups, whose limits are similarly independently established.

We shall start with the term *homogalaktes*. Liddel, Scott and Jones in their *Greek-English Lexicon* give the meaning of this term as 'persons suckled with the same milk: hence foster-brothers or -sisters: hence, like *gennetai*, clansmen, tribesmen'. The earliest reference they quote for this word is from

Aristotle's writings. And this is the meaning generally given to this word by most of the writers. Farnell accepts the same meaning.⁹ As we have noticed, it was Hearn who proposed and supported by arguments another meaning, 'those who offer the same milk'. Jevons accepted the interpretation. Hearn was perhaps led to that interpretation by his acceptance of the parallel between *samanodakas* and *homogalaktes*. The difference in terminology corresponded in his opinion to the difference in the material offered as libation to the ancestors among the Hindus and the Greeks respectively. As both Hearn and Jevons observe, whereas the Greeks offered milk as libation to the ancestors, Hindus satisfied themselves with water. W. Warde Fowler, while commenting on the text of Aristotle, where he speaks of the inhabitants of a *kome* as being *homogalaktes*, says 'the meaning of this word [*homogalaktes*] is open to doubt. It may be taken as "suckled with the same milk", or "offering a common libation". Newman does not notice the latter interpretation'.¹⁰ We may conclude that the term *homogalaktes*, whatever the extent of the kin-group denoted by it, meant a kin-group, members of which were related to one another because they offered libations to a common ancestor or to common ancestors.

Smith takes *homogalaktes* to mean *gennetai* on the authority of Pollux (second century A.D.) and points out that the circle denoted by it includes the *paidon paides*, 'children's children', all collateral descendants. On this interpretation he takes the term *kome* in the text of Aristotle, referred to above, to mean *genos*, because the members of a *kome* are described in Aristotle's passage as being *homogalaktes*.¹¹ In another place he observes: 'During the democracy, and probably at an earlier period, there was the distinction noticed above between *gennetai* and *homogalaktes*, true members of the gens and *orgeones*, members of the cult'. *Homogalaktes* were thus *gennetai* in their relationship to one another through ancestor-cult. The statement of Pollux that at Athens the *gennetai* were not necessarily related to one another must be taken to refer to the fact that the Greeks had lost the common gentile name. The relationship of the *gennetai* or the members of a gens should have been ordinarily indicated by their having a common name as in Rome. In Greece, however, the gentile name seems to have been not very common. The unity of a gens or a *genos*, became manifest

in Greece through its common rites and its ancestral god or hero. Smith further observes: 'The reason why religious community always remained in Greece the main test of the membership of a gens was that the common gentile name, which in Rome was the original test of *gentilitas*, was not borne along with the individual name by the Greeks. The bond of union between the *gennetai* was thus almost exclusively common religious ancestry, and it is to this source that other characteristics which distinguish the more prominent *gentes* in Greece may be traced. Community of religious ancestry gave rise to community of worship and the importance of the ancestry and worship determined the importance of the gens'.¹² We can thus see why the relationship of the *gennetai* was alternatively conveyed through the term *homogalaktes*.

Homogalaktes is thus the wider of the two kin-circles, *anchisteis* and *homogalaktes*. Jevons designates the narrower kin-circle by the term *orgeones*. One's descendants to the third degree as well as one's father's descendants to the third degree are represented as having been included within the circle of *orgeones*. Smith has clearly indicated that the *orgeones* represented the outermost circle of kin, i.e., those 'who shared only in some of the sacred rites of the gens'. *Phratores*, it would appear, were distinguished into two classes: (1) *gennetai*, and (2) *orgeones*. Those *phratores* were *gennetai* whose common descent was believed in, who participated not only in the common cult of the phratry, the worship of Apollo Patroos and Zeus Herkeios, but also in the special rites of their *gene*. On the other hand, the *orgeones* were those *phratores* who only participated in the common cult of the phratry.¹³ It is clear from this that *orgeones* represented the wider circle of kin and not a circle narrower than the *homogalaktes* as Jevons believed. We may quote here Zimmern's remarks which, though we do not agree with them wholly, support our contention that *orgeones* represented an outer circle of kin. Zimmern says:¹⁴ 'For, towards the close of the mediaeval period, when our scanty evidence begins, we find the brotherhoods consisting, no longer of "brothers", as their name implies, but of what Wilamowitz calls first- and second-class members. The first-class members, out of whom alone the chiefs and priests of the tribe are selected, are known as *gennetai* (clansmen) or *homogalaktes* (foster sons), the others as *orgeones* (worshippers).'

Jevons tells us that the kin-group which was designated *orgeones* at Athens was called *homokapoi* in Crete. Liddel, Scott and Jones, in their lexicon give 'mess-mates' as the meaning of the term *homokapoi*. Hearn tells us that the term *orgeones* implies the recognition of kinship being based on the community of eating and drinking.¹⁵ Schrader, too, has drawn our attention to the existence of the term *homokapoi* as well as the expression *homosipuoι*.¹⁶ Liddel, Scott and Jones give 'mess-mates' as the meaning of the latter term too. The earliest references to these two words occur in the writings of the seventh and sixth centuries B.C. If the connexion between the term *orgeones* and the terms *homokapoi* and *homosipuoι* is correct, then in view of the fact that the term *orgeones* really denoted the *phratores* in their aspect of common worshippers, the terms *homokapoi* and *homosipuoι* must be taken to mean the same class in their convivial aspect. Thus *homokapoi* meant those *phratores* who joined in the common feast of the phratry. We can see the reason why the *phratores* were designated as the *homokapoi*. In the festival of the *apaturia*, as noticed earlier, the *phratores* expected and gave dinner to one another. Fittingly could the comrades in rites, who celebrated their comradeship by eating and drinking together, be called *homokapoi* or *homosipuoι* or *orgeones*.

The circle of kin narrower than that of the *homogalaktes* was denoted by the term *anchisteis*. As Smith has observed, 'Within the circle of the *gennetai* who regarded themselves as connected by blood we have the inner circle of the *anchisteis* who were obviously so connected.' We have seen that the *anchisteis* ended with one's cousin's children. And we have contended that in the direct line the *anchisteis* ended with children's children. The *anchisteis* it would appear were sometimes designated by the term *suggeneis*, 'kinsmen where the blood descent could be proved'. Smith on the authority of Demosthenes regarding the kin-circles of an ancient Greek, observes: 'He had first *suggeneis*, kinsmen where the blood descent could be proved; *gennetai*, where the common descent was believed, but could not be proved; and *phratores*, where relationship was merely that of religious unity carrying with it certain natural rights and obligations between the members called by this name.' But the application of the term *suggeneis* was not so definite throughout Greek history. Herodotus

and Isaeus, for example, use the word *suggeneis* as equivalent to *gennetai* and distinguished from *oikia*.¹⁷

Now we can conveniently follow the account of the law of inheritance and succession. When the *anchisteia* or the narrow circle of relatives was exhausted the succession to the property went according to the relative degree of proximity on the father's side. That is, the inheritance passed to one of the *gennetai* who was nearest related to the deceased. It seems that the lineal ascendants of a deceased were not entitled to inherit his property. Thus neither the father nor the grandfather but the uncle might inherit.¹⁸

The Code of Gortyn in Crete, which in its extant form is believed to be not earlier than the fifth century B.C. and yet is considered to be based on much older law, is a little more explicit in the matter of the law of inheritance than other Greek laws. It is stated therein that if a person died intestate, his children, grandchildren, and great-grandchildren succeeded him. Failing these lineal descendants, his brothers, their children and grandchildren came in as the second group of successors. Thereafter followed his sisters, their children and grandchildren. After these came an indistinct group of more distant relations.¹⁹

Two very important points in this law deserve our special attention. First, as regards one's lineal descendants one's property could be inherited by one's great-grandchildren. The claims of the third descendant generation were clearly recognized. Second, that on failure of the lineal descendants, the stock of the father came in, wherein also the rights of the third descendant generation are clearly recognized; but the father is not entitled to inherit. Third, that on the failure of the father's stock no further stock, that of the grandfather for example, is mentioned as entitled to inheritance.

It seems that the family remained joint and undivided as long as the father lived. It was after the father's demise that family property could be divided. But already before the beginning of the sixth century B.C., recognition of self-acquired property had come to be established. The acquests of a son were under his control and protected from the corporation of the family represented by his father. On the other hand, a son could not pledge anything belonging to the family. The most significant of all Solon's laws was the one that granted

testamentary freedom. Zimmern remarks that Athenians were thenceforward allowed to leave their money as they liked, inside the clan or out, 'if there are no legitimate male heirs'. Woodhouse represents this right as limited. He says: 'If the party making his testament be absolutely childless, he may set aside one tenth part of his acquired possessions for the purposes of legacies to any persons he pleases.'²⁰

Phule, or tribe, and *phratría* were very ancient divisions of Greek society. We learn from the *Iliad* that warriors of old times fought, marshalled in their *phule* and *phratría*. The later organization of Greek society into tribe (*phule*), phratry (*phratría*) and clan (*genos*) can be traced in Homer. At Athens each tribe was divided into three divisions called *phratría*, each of which was further divided into thirty groups called *genos*. It is instructive to note that even in Homeric society phratry was perhaps the most important grouping. In the *Iliad* an outcaste is described as 'one who belongs to no phratry'.²¹

Describing the relation between various kin-groupings of the Greeks, Burn observes: 'The heads of several *oikoi*, which were grouped together in the *genos* and the *phratría*, certainly met together periodically, in classical Athens, for business that concerned them all—chiefly the common worship of the Ancestors, and the vote on the admission of new members, the legitimate children of the old, to the Roll of the *frateres*.'²² They also entertained one another and admitted the legitimate children of the *phratores* to the phratry. Whereas the *phratores* distinctly figured as the co-prosecutors in the case of a homicide in the law of Dracon, they did not figure anywhere in the law of inheritance and succession. Yet phratry as a division for social and religious purposes survived the reforms of Cleisthenes (c. 550 B.C.). A citizen who was not born as a citizen but who was newly admitted to the rights of citizenship was assigned to a *phratría*, though he could not boast of a *genos*. In this connexion we should like to draw attention to the fact that in Homeric society among the avengers of a homicide figured the *etai* as well as the *phratores*. The association of the *phratores* and the *etai* in the function of avenging blood is significant. It not merely foreshadows but actually presupposes the projection of biological kinship on the social plane. We know that the religion of the larger unit of the State was an extension of the religion of the smaller unit, the *oikos*. The biological kinship

which subsists between blood relatives was, it would appear, from very early times made the pattern for the discharge of functions of a wider unit. It is significant that the wider unit was called *phratría* or 'brotherhood', and its members *phratores* or 'brothers'. The social grouping of the *phratría*, whose cementing bond was common worship, must have been in origin an extension of the family. The larger social integration was thus achieved in terms of or in extension of, the biological kinship.

It may be objected that it was the *genos*, and not the *phratría*, which was the extension of the *oikos*. There is however, no evidence to show that it was so. Unlike the Romans the Greeks did not attach the Gentile name; and when *phratría* came to possess a common cult and a common festival, which was an occasion for great conviviality, and when it attained the position of having a register of its members which served the purpose of the register of the *genos*, the *genos* became a shadowy unit and the *gennetai* a kin-unit of shadowy function, namely, the offering of a libation to common ancestors. The progress of trade and industry during about a century and a half since Hesiod's time had led to such differential possession of wealth by the different *gene* that it was inevitable that status had come to be reckoned by wealth instead of by birth, a process which was stressed by Solon's innovation and furthered by Cleisthenes' legislation. The reckoning of status by wealth naturally eclipsed the significance of *genos* which was a social unit based on birth. *Phratría*, on the other hand, maintained its importance. That is why Plato lays down that the names of the living members of the *phratría* and the *archons* of the *phratría* be inscribed on a whited wall. Cleisthenes in his sweeping reforms calculated to loosen the tie of kinship and to strengthen that of territorial contiguity thought it wise not to supersede the *phratría*.²³

The second circle of kin and one narrower than that of the *phratores* is that of the *gennetai*. We have established the identity of the *gennetai* and the *homogalaktes*. *Gennetai* were the members of a *genos*. A number of *gene* were celebrated from of old for certain specific activities. Some of them had important priestly functions; others had other kinds of duties and privileges; some even practised certain crafts hereditarily. Whatever the original functions and whatever the privileges the *gene* retained, the bond of union between the various members of a *genos* was tendance of the common ancestors. Hardly is there any

other function of kinship in which the *gennetai* figure. We are informed that the individual groups of related *oikoi* had common places for the interment of their dead. So exclusive was this privilege that the Attic orators constantly used the fact of the claimant's father being buried in a particular tomb as evidence in support of his claim for admission to a *genos*. And Demosthenes asks, 'where is the man who will allow persons having no connexion with the family to be placed in the ancestral tomb?'²⁴ The *gennetai* were therefore connected among themselves by the bond of tendance of the common ancestors; and that is the reason why the term *gennetai* generally figures as the equivalent of *homogalaktes*.

The third circle of kin, which we have discussed a number of times so far, and which from the point of view of functions of kin is perhaps the most important, is *anchisteis*. As we have seen, the *anchisteis* in the direct line included three generations, and in the collateral line, the children of first cousins. They were the persons who were entitled to inherit in succession an intestate estate in Greece. In Crete, as we have seen, the Gortynian Code carried the intestate succession to the third descendant, i.e. to great-grandsons. *Anchisteis* were the people who were specifically charged with the duty of blood-revenge. Whoever took the estate took also the family rites and attended to the tendance of the deceased.

Shall we identify *anchisteis* with *oikia*? The temptation to do so is great. As we have seen Smith contrasts *anchisteis* with *gennetai* on the ground that in the case of the former the exact relationship can be demonstrated while in the latter relationship is only a matter of belief. He also contrasts the *oikia* with the *genos*, the former being described as the narrower and the latter the wider family circle. Nevertheless it would be wrong to identify *anchisteis* with *oikia* in as much as there are significant differences in the status and functions of the *oikia* and the *anchisteis*.

As regards blood-revenge, though the *anchisteis* are a narrower circle and of greater importance than the circle of *phratores*, yet there is a still narrower circle of kin, which we have considered to be the narrowest circle in the matter of blood-revenge, and which was the primary unit, on the members of which fell the obligation, in the first instance, of initiating the process of revenge. From the earliest times, namely, the Homeric

society, of which we have knowledge, the duty of avenging blood lay on father, son, grandson, and brother of the slain. The duty of revenge devolved on other relatives only secondarily. In the matter of inheritance there was a great distinction between a son and grandson on the one hand, and the other members of *anchisteis* group on the other. A son or a grandson could not refuse the succession but a brother could. In order to appreciate the distinction involved we must remember that a Greek heir had certain obligations laid on him. The heir succeeded to all the claims and liabilities of the deceased even though the latter might be greater than the value of the assets. In the matter of inheritance and succession thus, within the circle of the *anchisteis*, the status of a son and a grandson is quite special.²⁵ We have seen that in the matter of the obligation of blood-revenge a man's father, brothers and sons formed the primary group. And they are the persons who are likely to have been included in the *oikia*, along with the deceased. The *oikia* thus cannot be equated with *anchisteis*.

We shall now proceed to study what is perhaps the most important feature of the circle of kin, *anchisteis*. We have observed* that outside this circle of kin, inheritance went unilaterally and agnatically according to proximity of kinship. If there existed no relative within this circle of *anchisteis* entitled to inherit, then the inheritance passed only to those persons who were related through the father of the deceased. Within the circle of *anchisteis* on the other hand cognatic and bilateral kinship was recognized, though females, and those related through them, were deferred to males, and those related through them. Even half-blood through the mother was entitled to inherit if within the degree of the *anchisteis*, when within the same circle on the father's side appropriate relatives did not exist. In the matter of blood-revenge, on the other hand, as we have seen, only unilateral and agnatic kinship counted.

The ancient Greeks were very particular in seeing that the continuity of an *oikos* was ensured. We have seen that when a person left only a daughter her son took the name and continued the *oikos* of his mother's father. Burn thinks that in early times it was the *genos* which took over the property and continued the rites of an *oikos* if it could not be continued

* *Supra*, pp. 137-8.

for lack of male descendant or for lack of a daughter.²⁶ If we accept Burn's view of the position of the *genos vis-à-vis* a failing *oikos* it is possible to think that the circle of *anchisteis* with its cognatic and bilateral recognition was an innovation made during those times when the property laws of Greece were being liberalized with a view to securing greater freedom of individual disposal. Solon was, as stated earlier, the first who introduced in the property law some kind of power of testamentation under certain circumstances. Traditional rights of the larger unit and the natural desire of individuals for freedom of disposal do not go together. When the traditional rights of the larger unit were being curtailed, the claims of cognatic and bilateral kinship came to be recognized at the cost of the rights of the larger unit. If this reasoning be granted, recognition of bilateral and cognatic kinship in the matter of inheritance will have to be admitted to be a late phenomenon, to be dated not earlier than the seventh century B.C.

It is necessary, therefore, to examine the contention that the *anchisteis* with its bilateral and cognatic recognition of kinship was a circle of kin recognized only in the later history of ancient Greece. To start with, let us reiterate that even in early literature some of the heroes are represented as having been nurtured by their mothers' fathers or to have succeeded to their thrones. There is no evidence that the circle of *anchisteis* was a late innovation. Woodhouse observes: "Whether we look at the rights of succession or at the duties of the blood-feud, or at the honours owed to the dead, we discover on all sides that the *anchisteia* was not a conception that could be extended indefinitely." It is an archaic classification, one of the oldest facts of Greek social organization, perhaps designed to apply not originally to the transmission of property, but to distinctions or religious obligations towards the dead, and community in blood-vengeance.²⁷ We have to infer that the conception of the *anchisteis* was a very old one.

Is then the cognatic element in the conception of the *anchisteis* later? We can hope to throw some light on this question by examining some of the early practices of the Greeks. We have seen that the system of naming prevalent amongst them was entirely based on the *oikos*. The continuity of an *oikos*, therefore, could be ensured, in default of male lineal descendants, by securing a person who would take up the name.

We have seen that if a person had a daughter her son was expected and required to do this. We have also seen that about the fifth century B.C. people could adopt their sister's son. They could even adopt the wife's brother. The bride's mother carried the nuptial fire to the bridegroom's place and this became the family fire for the new pair. In the Draconian law of homicide a deceased person's male relatives by marriage figured among his avengers. All this indicates such a thorough recognition of bilateralism that it must be looked upon as of fairly ancient rather than of late origin.

As regards the claim that in early society *genos* occupied a stronger position in respect of the property of an *oikos*, there is no solid evidence in its favour. Let us look at some of the facts which have been narrated above in the proper places. First of all, it must be pointed out that marriage was not required to be outside the *genos*. Marriage did not necessarily take the property of an *oikos* out of its *genos* into another. Some of the early heroes married even their son's widows. Some of them seduced and then married their brothers' wives. Others married their brothers' widows. Later, too, marriage continued to be arranged between close relatives. An elder brother offered his daughter in marriage to his younger brother who was living as a member of his household. From early times throughout Greek history marriage between near relatives seems to have been common. This practice is generally accounted for by the hypothesis that it was necessitated by the requirements of the property laws which were designed to keep the property of an *oikos* within it. We see that the Greeks were a close-marrying people. Marriage practice centred very much round the *oikos* and not the *genos*. It is in keeping with this fundamental trait of Greek life that Plato in his *Laws* lays down that the only daughter of a person must be married to certain relatives in order that the property of the *oikos* may be kept within it. He says, 'If a man dies without making a will, and leaves behind him daughters, let his brother, being the son of the same father or of the same mother, having no lot (a piece of land), marry the daughter and have the lot of the dead man. And if he have no brother, but only a brother's son in like manner, let them marry, if they be of a suitable age; and if there be not even a brother's son, but only the son of a sister, let them do likewise, and so

in the fourth degree, if there be only the testator's father's brother, or in the fifth degree, his father's brother's son, or in a sixth degree, the child of his father's sister.'²⁸ We must conclude that an effort was made to secure the continuity of the *oikos*, i.e. of its name, its property and its rites, through the agency not of the *genos* but of a fairly narrow circle of kin, the *anchisteis*, reckoned bilaterally, when it was in danger of failing through lack of lineal descendants.

The last circle of kin whose nature and limits we have to discuss is the *oikia*. We have indicated, in our discussion of the law of property, that for purposes of inheritance and succession the majority of the Greeks recognized the unity of three generations: ego, son, grandson. In Crete the unity recognized was that of four generations: ego, son, grandson, great-grandson. In the law of blood-revenge in Greece the duty devolved on father, son and grandson of the slain. This would suggest that in the matter of blood-revenge the Greeks recognized the unity of four generations. But such a suggestion should not be taken as a sound inference. The duty of blood-revenge would naturally tend to be laid on those who were capable of discharging it. Thus while it is laid on the father, the grandfather is not mentioned at all, as perhaps too old. It is significant to note also that the great-grandson of the slain is not mentioned. We must conclude therefore that the evidence from the duty of blood-revenge cannot be used to ascertain the extent of the *oikia*. And *oikia* in the matter of inheritance represented a unit of three generations in a large part of Greece, and one of four in Crete.

It does not follow that the persons composing the *oikia* necessarily lived together as members of one household. We have seen that the plan of the Greek house contemplated accommodating only a single couple. In the *Iliad* and other early literature where joint households of three generations are referred to there is scant reference to the pattern of behaviour with respect to the brother-in-law, daughter-in-law, father-in-law, uncle, etc. Even the best and most highly developed example of the patriarchal family in the *Iliad*, namely, the household of Priam, contains only three generations. The older sons have their separate homes near the palace of the father. It is noteworthy that in Homeric poetry the term *anepsios*, 'cousin', occurs only five times, with little

stress on the relationship. Though Ajax and Achilles bear that relationship to each other the poet never speaks of that tie between them.²⁹ We have also seen the marital practice of some of the heroes, and in the later laws. It was incompatible with the existence of a joint household. The examples of some brothers living together did not imply that their wives also were members of the joint household, because, in the case quoted, only one brother was married. Such a picture of the Greek *oikos* must be considered to distinguish it very clearly from the picture of the early Indian joint family.

Writers on the subject, in their comparison of the Greek household with the Indian joint family, were misled by certain misinterpretations, which we have made clear before. The Greek household was joint in estate more than in anything else. The son could not force a partition of the family property against the father. The family as a working unit, it appears, was confined to two generations, namely, a man and his children. In early times the married sons stayed with or near their parents. In later times, they lived away from them. The picture of the Greek family is thus midway between the picture of the Indian joint family and that of the nuclear family of modern Europe.

REFERENCES

1. Smith, vol. i, pp. 25-6. 2. Burn, pp. 114-15. 3. Burn, pp. 112-13; Coulanges, pp. 99-100; Hearn, pp. 103-4; Smith, vol. i, p. 945. 4. *ERE*, vol. i, p. 107(b), Woodhouse on Adoption (Greek); vol. vii, pp. 302-3, Woodhouse on Inheritance (Greek); Vinogradoff, vol. ii, p. 211; Smith, vol. i, pp. 944-5, 906.
5. *ERE*, vol. vii, p. 303(b), Woodhouse on Inheritance (Greek); Smith, vol. i, pp. 906, 946; Woodhouse, pp. 82-3. 6. Coulanges, pp. 71-3. He wrongly interprets the extent of *samanodaka*, which relationship, according to him, exists between those who have a common sixth ancestor. In the Roman way of counting, he equates it with fourteenth degree. 7. Hearn, pp. 168, 170, 171, 175, 176, 196, 197, 206; *Dialogues of Plato*, vol. iv, *Theat.*, p. 233. 8. Jevons, *Journal of Philology*, vol. xvi, pp. 95, 90, 91, 92, 93. 9. Farnell, (2), p. 58.
10. Warde Fowler, (1), p. 38, *fn.* 1. 11. Smith, vol. i, p. 904. 12. Smith, vol. i, p. 904. 13. Smith, vol. i, p. 903. 14. Zimmern, p. 148. 15. Hearn, p. 30. 16. Schrader & Jevons, p. 396. 17. Smith, vol. i, pp. 903-6.
18. *ERE*, vol. vii, p. 303(b), Woodhouse on Inheritance (Greek); Vinogradoff, vol. ii, p. 211; Smith, vol. i, p. 906, 945. 19. *ERE*, vol. vii, p. 305(a) *fn.* 1.
20. Smith, vol. i, p. 944, *fn.*; Jevons (1), pp. 105-6; Zimmern, p. 137; Woodhouse, p. 80. 21. Hearn, pp. 169, 336; Blumner, p. 143; *E. B.*, vol. x, p. 764(a), 22. Burn, pp. 120-21. 23. Zimmern, pp. 147, 151-7; Fergusson in *E. B.*, vol. x, p. 829. 24. *ERE*, vol. ii, p. 29, Schrader on Aryan Religion; Hearn, p. 119; Smith, vol. i, pp. 903-5. 25. Smith, vol. i, p. 948. 26. Burn, p. 160. 27. *ERE*, vol. vii, p. 303(b), Inheritance (Greek). 28. Jowett, vol. v, p. 312. 29. Seymour, pp. 150, 152.

CHAPTER VIII

IN LATIN CULTURE—I

AMONG the Ancient Romans the two kin-groups prominently mentioned are the *familia* and the *gens*.

Gens, the larger of the two groups, had no definite limits. All the members of a *gens* were supposed to be descended from one common ancestor. Of the two principal classes of population in ancient Rome, the Patricians and the Plebeians, only the former were properly members of *gentes*. Among some of the most ancient and famous *gentes* may be mentioned the *Aemilia*, the *Claudia*, the *Cornelia*, the *Fabia*, the *Julia*, the *Manlia* and the *Valeria*. Many of these *gentes* had branches bearing a separate name in addition to the gentile one. They were evidently named after the most distinguished members of the *gens*.

In the *Aemilia gens* we have the surnames, for example, of Mamercinus, Paulus, Regillus; in the *Claudia gens* we come across only Claudius and Nero, while the *Cornelia gens* furnishes more than a dozen names, some of which like Scipio and Sulla are very famous. The *Fabia gens*—so famous and prominent in Roman history of the Republican period that three of the brothers belonging to it are said to have carried off consulships successively for seven years from 485 B.C.—had three principal families named Ambustus, Maximus and Vibulanus. Of the *Manlia gens* we may mention only Torquatus. The Caesar family of the *Julia gens* overshadows all others. Of the *Valeria gens* the Flaccus and Publicola families may be singled out for mention. The first man to be surnamed Publicola was elected consul in the first year of the Republic, 509 B.C.¹

While many *gentes* thus branched off into separate families, *gentes* like the *Marcion* and the *Lucretia* never seem to have had more than a single line. And in the case of some other *gentes* like the *Cornelia* and the *Claudia* names of sub-sections appear after a long unbroken succession. The *Claudia*, whose founder was consul in 495 B.C., remained united the longest. As Coulanges observes, 'The *Claudii* remained a long time united in a single family, and all bore the surname of Sabinus or of Regillensis, a sign of their [territorial] origin. We follow them for seven

generations without seeing any branches formed in this family although it had become very numerous. It was only in the eighth generation in the time of the first Punic war, that we see three branches separate, and adopt three surnames which became hereditary with them.' It is from evidence like this that Coulanges arrived at the conclusion that 'the *gens* was not an association of families, but was the family itself'.²

Many of the *gentes* show hereditary traits of ability and temperament. Thus, members of the *Claudia gens* were throughout noted for their pride and haughtiness. They disdained the laws and hated the plebeians.³ Professor Wright has remarked upon the persistence of types among the *Claudii* and the *Metellii*. He observes: 'A persistent trueness to type is one of the most striking features in the character of the old Roman aristocracy. The Claudians, for example, all have one distinguishing trait, an arrogant self-will and disdain for popular opinion combined with certain literary and artistic aptitudes not too common among their nation. . . . The character of the *Metellii* may be summed up in one word, *gravitas*, a word which in Latin is often used as a polite synonym for stupidity. The *Metellii* supplied to the State for centuries a continuous succession of conservative politicians, administrators, and generals.'⁴

The founder of the Claudian *gens* is known to have been Attus or Attius Clausus, who settled in Rome about 504 B.C.⁵ From all this it is clear that a *gens* was originally a family. But soon many of the *gentes* grew so much and had so many individuals distinguished for one quality or the other that there came to be within each *gens* a number of branches or families. *Gens* when we know it well in Roman history appears as the wider kin-unit and *familia* the smaller one.

The *gens* was a group of individuals who, if their descent were traced far enough upwards, would have met in a common ancestor. Common descent, therefore, which was more believed in than could be actually traced, was one tie binding the gentiles together. In most cases we are told that, at the period of Roman history which first furnishes us with some information about social life, it would have been impossible to establish the common descent of most of the gentiles.

The second bond of union was provided by the common name which all the gentiles, 'members of a *gens*', bore in common. Of the three names which each Roman patrician

had, one was taken from the *gens*. The gentile name always ended in 'ius'; and if the contention about the *gens* being originally a family is true, it was originally, in all probability, a patronymic. The gentile name was called *nomen*, 'name', *par excellence*. Of the two other names, which an individual bore, one was his individual name, given to him on the ninth day after his birth and called *pre-nomen*. The individual or personal names were very often peculiar to *gentes* and even to *familia*, only certain names being common in a particular *gens* or a *familia*. The third name by which an individual was distinguished was called *cognomen*, and is generally translated as surname, being the name of the family.* The origin of these family names is believed to have been some peculiarity, bodily or mental, of some individual. Sometimes the family name originated from a place or a people. Some authorities believe that the general use of *cognomina* cannot be dated further back than Servius Tullius, the sixth king of Rome, 578-534 B.C. As a legal form, in laws and decrees, it was enjoined first in Sulla's time, beginning of the first century B.C. Thus G. Julius Caesar meant Gaius of the *Julia gens* and of the Caesar *familia*. Q. Fabius Quintus denoted the individual Quintus who was of the *Fabia gens*, and Quintus family, or under the *patria potestas* of Quintus. Not infrequently a fourth name commemorating some triumph or denoting some dignity was added.⁶ Here we need only stress that aspect of the custom of naming and knowing an individual whereby of the four relationships⁷ which the ancient Romans conceived of, three were specified in the name, namely, the individual, the family, and the *gens*. Only the relationship of the State did not figure in it.

In the case of females, a little later than in the case of males, to her personal name was added a name either of the family of her father or that of her mother. Roman dames did not change their name and *gens* after marriage. The mother of the Gracchi, for instance, always remained a Cornelia. Livia, the third wife of Augustus, was Livia till she was adopted, evidently by the will of Augustus, into the *Julia gens*, whereafter she came to be known as Julia Augusta.⁸

* In the articles on Roman worthies given in the *Encyclopaedia Britannica* the notice is given under the first letter of the family name and the fourth name, to be noticed below, is called the surname.

In a large number of cases of adoption, the adopted person changing his original names adopted those of his adoptive father, adding his original gentile name in an adjectival form. Thus when Gaius Octavius was adopted by Gaius Julius Caesar, who was the brother of his mother's mother, he became G. Julius Caesar Octavianus. In a few cases the additional epithet was derived from the name of the *familia*.⁹

The gentile name, which was the name *par excellence*, which was not changed by a woman on marriage, and which was changed yet retained by a person on adoption, was thus a prominent mark of unity and of common descent, whether the common descent could or could not be established.

The other outward token of unity of the gentiles was the common *sacra*, 'rites'. The maintenance of the worship and sacrifices common to the *gens* was looked upon as an activity of extreme importance. It was believed that if the special *sacra* died out, the community would lose the favour of the divinity to which they catered. It was, on the other hand, rather immaterial if the rites of a family passed out of it. They could have been maintained by other gentiles. But if the *sacra* of the *gens* could not be secured in their continuance they would be lost for ever. The reversionary rights of inheritance which originally belonged to the *gens* are considered to have been the direct consequence of the desire to see that the gentile *sacra* did not die out. Rights of property and inheritance were closely connected with the duty in respect of the *sacra*. In certain cases of change of *gens* the individual so seeking a change was declared to have no claim to participation in the *sacra* of his original *gens*. In cases of adoption from one *gens* to another, the pontifices were required to inquire how the continuity of the *sacra* was to be maintained. Rites of some of the *gentes* were quite peculiar to themselves and special worships were in their charge. Thus the *gens Julia* was in charge of the worship of Apollo, and the *gens Nautia* that of Minerva. The rites of *gens* were so exclusive to its members that no stranger could be admitted to them and if a stranger had assisted at the sacrifice, it would have been looked upon as gross impiety. Even so late as the time of Cicero we find him twitting his personal enemy who had abandoned his *gens*, thus: 'Why do you expose the religion of the Claudian *gens* to the risk of being extinct through your fault?' In 390 B.C. when the

Gauls had besieged Rome, one of the *Fabii* went calmly out of the city and crossed the enemy camp to reach the altar of his *gens* where he had to offer the customary sacrifice. Another Fabius during the second Punic war quietly left the command of his army in the hands of an imprudent fellow because he had to go to Rome to offer the annual sacrifice of his *gens*.

The gentile *sacra* were annually held at stated periods and the expenses were defrayed either from joint property or from joint contributions. Hearn tells us that the objects of worship were the founder of the *gens* and his successors, and 'perhaps also some divinity or hero that had been adopted as a patron saint'. The altar was formed by the tomb or sepulchrum which was common to the *gens*. This tomb would appear to have been to the *gens* what the hearth was to the household. Hearn thinks that it was the abode of the gentile *Lares*. The connexion of these rites is expressly stated sometimes. Thus Dionysius thought them to be the worship of the daemons of their forefathers. This clan worship was specifically known as *sacra gentilicia*.¹⁰

Whatever the gentile *sacra* originally were, whatever their cementing force when they were vital, they belonged only to the patrician *gentes* and as these latter gradually died out the *sacra* too disappeared. Gaius (second century A.D.) writes about the gentile rites being obsolete in his day. An eminent lawyer of the first century B.C., Mucius Scaevola, while defining gentiles, does not refer to the *sacra gentilicia*, which had even by then decayed. Jesse Benedict Carter makes it quite clear that the relationship of an individual to his clan or *gens* 'sank so soon into insignificance that our knowledge of the *sacra gentilicia* is extremely scanty and the subject need not trouble us here'. It is because of this that W. Warde Fowler in his book, *The Religious Experience of the Roman People*, has a chapter on the religion of the family but has hardly anything to offer on the gentile *sacra*.¹¹

In assigning *Lares* to the *gens*, Hearn seems to have read too much into the ancestor-worship of the Romans. As we shall have occasion to point out later, ancestor-worship was focused in the family and not in the *gens*. We shall also see that the calendar festivals of the Caristia, the Feralia, the Lemuria, and the Parentalia were all celebrated by the members of the family and not of the *gens*. We must, therefore, conclude that

the nature of the gentile *sacra*, whatever it might have been in the hoary past, was no longer such, by the time of Republican Rome, as to be a bond of union among the gentiles. The rights of certain *gentes* to conduct, or to be custodians of, certain worships must be looked upon as the share of the *gentes* in the spoils of the State, as of the nature of privileges due to their patrician importance.

Another token of gentile solidarity was the right of the *gens* to succeed to the property of a gentile under certain circumstances, and to act as guardian of the widows and orphans of the gentiles. In the Roman law of the Regal period, immediately after the descendants of a deceased, the *gens* came in as a successor to his property. On the death of a *paterfamilias* minor males and all females had to be placed under the guardianship of tutors. In this period testamentary appointment of tutors was probably not known. The office devolved upon the *gens* of the *paterfamilias*. Whether in this capacity the *gens* acted as a corporate body through a standing council or delegated the duties to some one of its members is not properly known. The laws of the Twelve Tables (450 B.C.) introduced the agnates as successors to the property of a deceased in between his descendants and the *gens*. As we shall see later, the newly-created right of the agnatic kinsmen was so circumscribed that the right of succession of the *gens* was not thereby rendered insignificant or nominal. As regards tutory or guardianship the laws did not contain any express authority for testamentary appointment of guardians, yet on interpretation, such an action soon came to be justified. In the absence of testamentary appointment the nearest male agnates of proper age were to be tutors or guardians. The right of the gentiles to inherit in the last resort lasted upto the end of the Republic. By the time of Gaius it had become extinct.¹²

That the *gens*, some time in the early history of the Romans, had a corporate existence is deducible from a number of traces that are seen in the later laws and practices. Possibly the gentiles collectively owned land, and from time to time allotted lands to new constituent families. Though blood-revenge is very indistinct in Regal Rome, earlier the duty of avenging the death of a kinsman and later of prosecuting the murderer, as well as of the right of appeal against capital sentence, devolved on the *gens*. About private vengeance Muirhead

observes: 'It must still have been an admitted right of the *gens* or kinsmen of a murdered man in the days of Numa; otherwise we should not have had that law of his providing that where a homicide was due to misadventure, the offering to them of a ram should stay their hands.' Coulanges narrates the incident of Appius Claudius, the Decimvir (450 B.C.), appearing in the defence of one Claudius, who was his personal enemy, when he was threatened with death. He implored people in his favour and at the same time made it clear that he did this 'not on account of any affection which he bore the accused but as a duty'. We read of the *Claudii* repudiating the prenomen of Lucius, 'because two of its bearers had been convicted of theft and murder respectively', and of the *Manlii* renouncing the prenomen of Marcus.¹³ We have seen that certain worships were entrusted to certain *gentes*. The custody and conduct of such worship must have implied some standing arrangement in such *gens*. We may conclude that there were to be found traces in the social and religious life of Rome of the Regal and Republican periods which reflected the earlier existence of some kind of corporate life of the *gens*.

In the matter of adoption the person to be adopted could be from the *gens* of the adopter or from another *gens*. It was thus not necessary that the adopter and the adopted, should belong to the same *gens*.

The Romans like many other peoples of antiquity did not like the idea of their family and its *sacra* becoming extinct and themselves being uncared for in their tombs through the lack of a continuator. When a marriage proved either unfruitful or had no male issue, they had created devices whereby their future and the continuity of their families could be guaranteed. Launspach tells us that 'Rome did not recognize the practice of begetting successors vicariously by calling in a kinsman or stranger to cohabit with a wife, or by marriage of the widow with the kinsman of a husband who had died childless, devices common to other Aryan and non-Aryan races'. The alternatives current in Rome were either that the person adopted some young man, or his own relative through females, as his son. The latter course was usually followed in the Regal period and onwards. L. Crassus adopted his daughter's son, L. Licinius Crassus Scipio. Octavius was adopted by Julius Caesar, who was the brother of the mother's

mother of Octavius. As we shall see later a daughter's son, when adopted, retained some of his obligations to his natural family. Augustus had adopted his sister's son, M. Marcellus, but the latter died early. Pliny, the Younger, after the death of his father, was adopted by his mother's brother Pliny, the Elder. P. Cornelius Scipio Africanus adopted a son of L. Aemilius Paulus and thus his own mother's brother.¹⁴

Hearn thinks that the circle of the *cognatio*, which set the limit of forbidden degrees in the later Republican period, might have replaced the *gens* in the matter. He points out that the names of the known Roman matrons show that their gentile name was different from the gentile name of their husbands; and warns against the danger of concluding from such evidence that in early Rome marriage was outside the *gens*. Yet he observes that 'in the absence of better evidence it ought, until it is rebutted, to have some weight'. And he quotes as direct evidence the statement of Plutarch that the Romans did not marry women of their own blood or their kinswomen.¹⁵ Here is a marriage of 160 B.C. It was between P. Cornelius Scipio Nasica Corculum and the daughter of P. Cornelius Scipio Africanus Major who was the father's brother's son of P. Cornelius Scipio Nasica, the father of P. Cornelius Scipio Nasica Corculum. Agnatic second cousins, who therefore belonged to the same family and the *gens*, married each other. Even in the Regal period our later authorities state that for a patrician Roman the essential condition of a lawful marriage was that his wife should not be one of his sobrinal circle, i.e. must not be related to him within the seventh degree. Second cousins, who were related according to Roman computation in the sixth degree, could not marry.¹⁶ There is no distinction between agnatic and cognatic degrees of relationship. We must interpret the law therefore to lay down that any relative beyond second cousin could be married, whether related agnatically or cognatically. Identity of *gens* by itself could not have been a bar to marriage. We must conclude that in Roman marriage, *gens* was no consideration either in the Regal or in the Republican period. Warde Fowler has rightly observed that of exogamy 'there was no trace in historical Rome'. His further observation that 'marriage was originally within the limits of the *gens*', however, is unsupported by any evidence.¹⁷

It is not improbable that Warde Fowler's observation is really an inference from the old Roman law of marriage whereby the property of a woman passed under the power of her husband. A propertied woman of one *gens* marrying a man from another *gens* would carry the property of the *gens* which belonged to her into another *gens*, which was a serious matter for the *gens*. Livy narrates the case of Fecenia Hispala who was permitted 'to have control of her property and marry without the *gens*' as a reward for a certain service rendered by her.¹⁸ Hence the conclusion that originally marriage outside the *gens* was beset with difficulties can be much more legitimate than Warde Fowler's view that it had to take place within the *gens*.

We may conclude that in Regal and Republican Rome, *gens* was not a serious consideration in marriage. Marriage could be contracted within the *gens* just as well as outside it.

We see that on the whole the Roman *gens* even in the Regal period (753-510 B.C.) was hardly an active organization, and that by the Republican period (509-50 B.C.) it had become almost shadowy. A large number of old *gentes* disappeared altogether. *Sacra gentilitia*, whatever they were originally, were no longer distinctive. The gentile name remained the one visible mark of gentile unity and the only trace of the past gentile solidarity. Warde Fowler's description of the *gens* pictures the true state of affairs: 'All members of a clan (*gens*) had the same name and were believed to descend from a common ancestor'.¹⁹

Turning from the *gens* to the *familia*, 'family', we shall begin with the observation of J. B. Carter that 'our sources for a knowledge of the history of the family and of family worship in Rome are relatively scarce when compared with our sources for the history of the State and of the State religion'.²⁰

Warde Fowler looking upon the *gentes* as some form of village-community and as survivals thereof observes: 'They survived into the life of the State, and even to the very end of it, because the ties of kinship and religion could not be dissolved among them, and were strong enough to hold them firmly together under the new order of things; and they remain, as we shall see, as a powerful conservative influence, holding back the State from a too rapid development as a

new organism, and, as it were, keeping it continually in mind of the rock from which it had been hewn.'²¹ In a later work, he speaks of the *gens* as 'the one essential kin-division of the Latin stock when it settled in Latium and all through Roman history, it continues so as a permanent entity, though families may die'. The *familia* he conceives as an economic unit, 'developed out of the *gens* which is a unit of kin and a little more'. The life of the family being based only on the needs and perils of the present had no concern with the thought of the past or the future; for 'what had been and what was to come it could look to the *gens* to which it owed its existence'. Yet the *gens* was not of much practical use; and an artificial union of families known as *Pegus* was called into existence.²²

In the opinion of Warde Fowler the *gens* continued to play an important role not only in the political life of Rome but also in the social life as a kin-organization and as the centre of ancestor-worship. But as we have already seen the *sacra gentilitia* had decayed very early. J. B. Carter commenting on the decline of the clan idea states that the situation thus created made the State the only rival of the family, 'a rivalry which was chiefly theoretical rather than real'. The same writer further observes in the same connexion: 'The family occupied a unique place in the make-up of early Roman society'.²³ Launspach is even more emphatic. 'The ancient gentile organization was indeed, at the birth of Rome, already moribund, but the narrower family circle which supplanted it long continued to exist for many purposes as a State within the State'. And this was as it should be. For mere kinsmanship without many rights and duties or mutualities, and devoid of an active common cult, cannot preserve the vigour of gentile associations. We must also remember that many of the old *gentes* had already perished in numerous wars by the time Servius (578-534 B.C.), the sixth king of Rome, made military service compulsory upon all landholders. Warde Fowler speaks of Patrician families having died in the war resulting from the Gallic invasion of 390 B.C. By 300 B.C. there is further evidence of Patrician families struggling just to keep themselves going. Plutarch states that as the result of the Hannibalic war the flower of the Roman nobility was destroyed. By the time of the praetor's legislation there were 'few families that could boast a descent so pure and accurately

known as to satisfy the requisites of *gentilitas*'. During the Empire, ancient and noble families had decreased to such an extent as to cause a complete alteration in the fashion of the images of supposed ancestors to be kept in the house.²⁴

For all important purposes we must, therefore, consider the gentile organization as being thrown into the background by the Roman conception of the *familia*.

We shall start with the picture of the *familia* as presented by Warde Fowler. The Roman *familia*, he thinks, was a section of the *gens* 'comprising the living descendants of a living ancestor, whether of two, three or even four generations'. 'This union clearly visible to mortal eye, and realizable in everyday work settles together in one house, tends its own cattle and sheep, cultivates its own land with the help of such dependants as it owns, slave or other, and is known by the word *familia*. This famous word, so far as we know does not contain the idea of kinship, at any rate as its leading connotation; it is inseparable from the idea of land settlement and is therefore essentially the house itself, with the persons living in it free or servile, and with their land and other property, all governed and administered by the paterfamilias, the master of the household, who is always the oldest living male ancestor'. The religion of the *familia* was thus of a practical utility and not one of kinship expressed in worship of some common ancestor. The *familia* 'had no common ancestor who could be the object of worship, except that of the *gens* from which it had sprung'.²⁵

Many years before, Hearn remarking on the hopelessly ambiguous nature of the word *familia*, and trying to ascertain the nature of the unity of the Roman household, opined that 'the practical object at which it aimed was the regular and proper performance of the *sacra*, i.e., of the worship peculiar to the Household'; and the theory on which it rested 'was the paramount and continuous obligation of ancestral worship'. The household was not the result of either birth or natural affection but of religion and authority. The *familia*, or *cognatio* as it was later called, was distinguished from the *gens* and in one sense it included all the agnates. *Sui heredes* were distinguished from the *agnati*. The latter were counted upto the sixth degree, i.e., 'they included all the male descendants of a common great-grandfather'. Hearn compares the Latin term

confarrei with the Sanskrit term *sapindas*. The limit of *gentile* kinship, in his view, included six generations of ascendants and six generations of descendants. He observes: 'There is thus some apparent diversity as to the precise point at which the gentiles begin. There is a similar discrepancy as to the precise point at which they end. Generally, six degrees of lineal ascent were counted, i.e., the last recognized collateral relation was the fifth cousin. . . . In the Roman law the six generations, both upwards and downwards, are clearly marked, and have their appropriate names. . . . Beyond the Tritavus Roman lawyers declined to proceed. All the ancestors beyond him were included under the general term *Majores*; and all the descendants beyond the Trinepos or third grandson were classed as *Posteriores*.'²⁶

Jevons, too, thought that the Roman family was very much like the Hindu joint family. The heirs-at-law of the laws of Twelve Tables (450 B.C.) were 'precisely those relatives who belonged, or might at some time have belonged, to the same joint undivided family as the deceased. It is worthwhile to note that at different times a man might belong to four different joint undivided families,' namely, that of his great-grandfather, of his grandfather, of his father and finally, of his own.²⁷

Launspach thinks that in the Roman father's household 'married sons and grandsons with their families continued to reside under one roof during the simpler ages'. Muirhead adds to this group even 'remoter descendants related through males'.²⁸

Georgia Leffingwell depicting the Roman life as presented by Plautus (first quarter of the second century B.C.) and Terence (first half of the second century B.C.) tells us that the Roman *familia* included 'the husband and wife, their sons and unmarried daughters, the wives and children of their married sons, the slaves, and the household gods'. The term *familia* itself is joined in formal expressions with *domus* as *domus familiarque*.²⁹

C. W. Westrup, pointing out the connexion of the Latin term *familia* with the Sanskrit term *dhaman*—and this is linguistically sound as *filius* is cognate with *dharus*—thinks that the fundamental sense of *familia* is 'that which belongs to the house, "the house-community", first materially, that which economically conditions its continued existence, its

maintenance, i.e. the house property, then with the slave, *famul*, as the probable connecting link, the free household'. He further points out that Sanskrit *kutumba* and the Old Germanic *hiwiski* originally denoted 'household'. He thinks that even in prehistoric times the Romans had the custom whereby the sons and the son's sons on marriage founded their own households. 'The joint undivided family was split up into individual families comprising only the parents and their children. But legally the development was essentially different. Though forming separate households, the Roman sons' families (and sons' sons' families) did not in historic times form independent families in civil law. But in conjunction with the father's family (and grandfather's family) they still legally constituted only one undivided family with the father (or grandfather) as the *paterfamilias*.'³⁰

Without subscribing to any of the views regarding the nature of the foundation or the extent of the *familia* briefly stated above, we may start with a consideration of the Roman *domus*, 'house', as very intimately connected with Roman *familia*. And it is *domus* that is cognate with Sanskrit *dhaman*, as Greek *oikos* is with Sanskrit *okas*, both *dhaman* and *okas* meaning house.

The earliest Italian house was nothing more than a round wigwam which would appear to have been the type imitated by the earliest Romans. But during historical times the plan of the house was throughout rectangular. In its simplest form it consisted of a single room or hall called the *atrium*. Here was located the hearth as well as the seat of Vesta. Here also the family passed its life. The hearth became the sacred hearth and a centre of family worship. Vesta was the spirit of the fire and was given an offering after the midday meal. Vesta was thus 'the central point of the whole worship, the spiritual embodiment of the physical welfare of the family'. Behind the hearth were receptacles for *penates*, 'gods of the stores', and for *lares familiares*, 'gods of property and home'. There was also another divine inhabitant almost as important as these. And that was the Genius of the *paterfamilias* or the head of the family. He was glorified as the continuator of the family.

In a house at Pompeii a curious wall painting was discovered. It represents the Genius, which, in the opinions of professors W. S. Fox and T. G. Tucker, is 'presumably the

head of the household in human form'. There are the two *lares* similarly painted in human form dancing, with a drinking horn and a pail in hand. Below them is a serpent approaching an altar to devour the offerings placed thereon. Both the writers consider the snake to be the master of the house in that peculiar guise. It is much better to identify the snake with the spirit of ancestors. We have seen how in a Greek sculpture, very commonly interpreted to represent ancestors and their worship by their living descendants, a snake is shown standing behind the ancestral couple. A serpent represented ancestors among some of the Slavonic peoples. In view of these parallels the snake in this painting is best interpreted as standing for the spirit of ancestors. This interpretation obviates an awkwardness. The interpretation of Tucker and others implies a repetitious representation of the living head of the household. In the interpretation suggested by us this is avoided. As for the Genius, Tucker thinks that it stands for 'the power presiding over the vitality and health and well-being' of the master of the house. There also stood against the back wall the nuptial bed, *lectus genialis*. This was the bed to which the newly-married couple was led. It was prepared again only when a fresh marriage took place. Till then it stood unoccupied. It was also here that the mistress of the household sat spinning and superintending the work of the household. Here also sat the patron and received his clients.³¹

The simple house later developed into a huge palatial building by the addition of a number of rooms on all the sides. All the same, the *atrium* not only remained an important feature but became the chief architectural beauty of the building. Two wings called *alae*, were added to the *atrium* on its two sides, so that it opened into them. Here were placed the waxen *imagines* of the ancestors of the house among the nobility. The *atrium* with its *alae* thus occupied the place of pride in a Roman house. These images, or waxen masks as we may call them, were used to cover the faces of the actors who represented the ancestors of a deceased person in his funeral procession. Under each bust in the wings there was an inscription giving the name and listing the deeds of the person represented by it. And they were arranged in such a way that when lines were drawn on the wall between them they formed the family tree. On festive occasions the *imagines* were crowned

with laurels. The making of these busts and carrying them about was such a well-established practice that it became a sculptural motive. We have a statue, the Barberini statue, carrying in the two hands two busts of ancestors. In the case of some of the greatest members of a family, persons, for example, for whom the Senate had voted a triumph, the *triumphatores* of a family, there were two portraits. While their busts stood in the *alae*, their full-size portraits stood in the *atrium* on the triumphal car. It is worthwhile noticing that further up from the *atrium* as one entered the parlour where, in those days of opulence, the master of the house transacted his business, on one side of the entrance, there often stood on a pedestal the bust of the owner as 'Genius of the home'.³²

Schrader, who first doubted the existence of ancestor-worship among the Greeks, was sure that it was quite primitive with the Romans.³³ In a later writing he has tried to define further details of ancestor-worship among the Romans. He quotes a statement from a Latin author that the Romans referred to their ancestors as *parentes* and interprets the word to signify ancestors of three generations. He further points out that the practice of ancestor-worship falls in the first place on the sons, and then on the more distant relatives of the deceased. He states that the latter were represented by the *propinqui* *sobrino tenus*, 'the relatives as far as the *sobrinus*'. He further asserts that in primitive times the 'next of kin' were covered by the conception of the Hindu *sapinda*-relationship. They included 'those persons who had a common father, grandfather, great-grandfather, or one of these ancestors, while in the case of the Latin *propinqui* *sobrino tenus*, the purely agnatic relatives mentioned above were, in the performance of the duties of mourning, early joined by *cognati* and even *affines*. But in any case they must have been originally the same persons to whom belonged, besides the offering of the sacrifice of the dead, the right of inheritance and the obligation of blood-revenge. Thus worship of the dead and inheritance appear everywhere in closest connexion with each other.'³⁴ Vinogradoff, too, thinks that the ancient Aryan, whether Indian, Greek or Roman, 'made sacrifices and offered prayers to his grandfather and great-grandfather on the father's side, who had lived and died by the house hearth, not to those on his mother's side, though these were equally his ancestors.'³⁵

It is clear from the account of the Roman practice of keeping the busts of their ancestors that it either tended to commemorate most of the ancestors or only those who were most famous. Every fresh *paterfamilias*, master of the household, did not keep only a limited number of busts, say, those of two or three of his immediate ancestors. The *di manes*, 'the good people', an obvious euphemism, were, as J. B. Carter has stated, 'the deified dead *en masse*'. The same writer observes that 'at death each individual was conceived of as losing his individuality and becoming immortal merely as a part of the great mass of the *Di Manes*'. Whenever the ancestors returned to earth and visited the living members of their family it is the *manes*, *en masse*, who are mentioned as doing so and not specifically the immediate ancestors. As a matter of fact, Warde Fowler mentions, in substantiation of his contention that 'religion lost her chance at Rome as an agent in the development of the better side of human nature', the feature that 'the spirit of a dead Roman was not thought of as definitely individualized; it joined the whole mass of the Manes in some dimly conceived abode beneath the earth; there is no singular of the word Manes'. He further tells us that it was not till the end of the Republican period that the words *di manes* represented in some sense the spirit of the individual departed. On tombstones dating from about the beginning of the Christian era the common formula is *dis manibus* followed by a name in the genitive or dative, meaning 'to so-and-so, a glorified spirit'.³⁶

There were four festivals which the Romans observed in honour of their dead ancestors, namely, the *Parentalia*, the *Feralia*, the *Caristia* and the *Lemuria*. The *Parentalia* was celebrated in February, lasting nine days from the 13th to the 21st, and was generally a joyful occasion. The celebration of the *Parentalia* presents quite a different picture from that of the *Lemuria*. It is the festival of the *di parentes*, the making of offerings to one's ancestors. During its celebration every family decorated the graves of the ancestors and made offerings there. The ninth day of the rites was known as the *Feralia*. On the tenth day fell the *Caristia*, the most beautiful of the festivals of this series. Ovid describes it 'as a reunion of the living members of the family after they have paid their duties to the dead. . . . It was a kind of love-feast of the family, and

gives a momentary glimpse of the gentle side of Roman family life. All quarrels were to be forgotten in a general harmony: no guilty or cruel member may be present.' In the feast and the meal the ancestors were supposed to be sharing. The *Lemuria* which was observed in the month of May (11th, 12th and 13th), was a festival for the souls of the departed and was generally observed by the head of the household. It was not a joyful occasion but a dreaded one, the main business of which was the laying of the ghost by the father of the family. 'Each householder rose in the night, dropped beans from his mouth, saying "with these beans I ransom me and mine", and then bade the *manes paterni*, i.e., the *di parentum*, be gone.'³⁷

The *di manes* were believed to be stirring out of their abodes on three days in the year, in August, October and November; and it seems some kind of offerings were made to propitiate them.³⁸

It ought to be clear from the account of the Roman ideas about the *di manes* and the Roman practices connected with their propitiation that the ancestors were not conceived of individually. It is unwarrantable therefore to suggest, as Schrader and others have done, that the tendance of the dead contemplated three immediate ancestors of the householder. This failure to individualize the ancestors and the practice of treating them collectively distinguish the Roman form of ancestor-worship markedly from that of the Hindus and approximates it to that of the Greeks.

Having seen the nature of Roman ancestors, their collective treatment and lack of individualization, and having ascertained the impossibility of getting any enlightenment as regards the extent of the family unit through the deities of the ancestor cult, we shall try to approach the question of kin-unity through a study of the circle that was entitled or required to offer whatever worship that was due to the *di manes* or to participate therein. As noted above the person who offered whatever kind of worship to the *di manes* was the head of the family. As J. B. Carter remarks, 'the prime duty of the head of the family was the regular and scrupulous fulfilment of the ancestral sacrifices; and it was also his paramount duty to provide a successor in the person of a real or adopted son who could take up the burden of the sacrifices after he had laid it down at death'.³⁹ If the *di manes* were collective and if it was the

duty of each independent household to offer worship to them through its head, then it is clear that many a family must be offering worship to a number of common ancestors, and, in so far as the days on which the worship was to be offered were the same for all, no single family could have both offered its own worship and also participated in the worship offered by another related family.

As we have seen above, Schrader thinks that the *sobrin*al circle of a deceased Roman, agnatic, cognatic and affineal, joined in his worship as an ancestor. The authority for his statement is the Roman writer Valerius Maximus of the early part of the first century A.D., and also perhaps Ovid, born in 43 B.C. Muirhead observes that the annual festival of the *Caristia*, 'at which all the members of a family assembled to renew the bonds of goodwill and affection over a common repast in presence of the domestic *lares*', is spoken of by Ovid and Valerius Maximus as 'a reunion of the *cognati* and *affines* generally, to the exclusion of all third parties'. He contends that this view of Ovid and Maximus could not be correct; for the feast everywhere took place on the same day and continued till night and as 'both men and women might be nearly connected by blood or marriage with half a dozen families or more, it is clear that the cognation and affinity that qualified for participation in it must have stopped short of that sixth degree to which it usually extended'. To make the accounts of Ovid and Maximus comprehensible he suggests the assumption that 'the gathering was exclusively of wife, sons, unmarried daughters, and wives and children of sons, of the head of the house'.⁴⁰

From the accounts of Ovid and Maximus accepted by Schrader, it is evident that the kin-group that was expected to participate in the feast of the *Caristia* was limited by the sixth degree of relationship according to the Roman way of reckoning kinship. Second cousins, who are the third descendants of a common great-grandfather, and their living ascendants, whether lineal or collateral, descended from the common great-grandfather, were thus the persons who were expected to participate in the feast. If we confine this degree of relationship to the agnates and to the immediate affines of the male agnates, that is their wives, then the widening circle of families of cognates and affines can be eliminated.

One of the major difficulties raised by Muirhead against the comprehensibility of the accounts of Ovid and Maximus is thus obviated. The cognates and affines of a particular celebrant, excepting the affines mentioned, participated in the feasts of their respective agnates and not in that of this celebrant. We may assume that whatever the number of separate families to which persons related to one another as agnatic second cousins belonged, there was only one feast for all of them probably arranged and conducted by the head of that family which represented the eldest branch of all the families descended from a common great-grandfather. If this explanation is accepted—and we submit it is more in keeping with the general tenor of early Roman recognition of kin-solidarity, as in the Regal period (753-510 B.C.) the prohibited degrees in marriage extended to second cousins than the assumption made by Muirhead—then the conclusion which Schrader has drawn is largely correct. Though the ancestors were collectively conceived and worshipped, yet, on one day at least, the third common ancestor enjoyed the distinction of being the rallying point for his descendants. Second cousins were thus a kin-group, which was united in some sort of family-solidarity expressing itself in a kind of celebration of common ancestry.

Roman marriage in all its forms had for its purpose the procreation of children. To marry and to beget children who could keep the *sacra* of the family was a duty which a Roman owed to himself, to his ancestors and to the State. If it was the purpose of marriage to provide for the continuity of ancestor-worship, it was also necessary that the new bride should satisfy the *lares*. It was essential that she should be smoothly introduced to the divine and human occupants of the house and should be received by her husband into 'communion of fire and water, symbolic of her acceptance as *materfamilias* both by man and deity'.⁴¹

We have seen above that for the choice of a partner, *gens* acted neither as an exogamous nor as an endogamous unit but was simply agamous. But from early times, there were certain prohibited degrees of relationship to be avoided in marriage. In the Regal period (750-510 B.C.) persons related within the seventh degree of relationship according to Roman computation could not marry. Thus second cousins were not marriageable mates. From the fact that the word used to

denote the prohibited degrees of relationship is *cognatio* it is evident that second cousins meant not only the agnatic but also the cognatic ones.⁴²

The old authorities which speak of this restriction employ a phraseology which is thus interpreted by the majority of well-known students of Roman institutions. What is said in the old authorities probably is that there could be no inter-marriage within the circle of the *jus osculi*. The *jus osculi*, 'the right of kiss', has nowhere been properly explained. It is clear that it was not only men who could kiss men but women too could kiss them under this right. Plutarch (first century A.D.), discussing the question why women kiss the lips of their kinsfolk, is unable to shed much light either on the extent of kin-circle to which this right extended or on its origin. As a matter of fact, he does not attempt any answer to the question 'who were entitled to kiss what relatives?' As for the connexion between the right to kiss and prohibition to marry, one of his explanations is as follows: 'Or because it was not lawful to espouse women of their blood and kindred, therefore permitted they were to entertain them kindly and familiarly with a kiss, so they proceeded no farther; insomuch as this was the only mark and token left of their consanguinity. For before time, they might not marry women of their own blood; no more than in these days their aunts by the mother's side.' This statement of Plutarch appears to be an error, into which he was very probably led by his experience as a Greek. The Greeks could marry their father's sisters. Plutarch must have, therefore, interpreted the word 'aunt' to mean aunt on the mother's side. We know positively from Gaius that the Romans could not marry their father's sisters, or their mother's sisters. And Plutarch states that 'long it was ere men were permitted to contract marriage with their cousins germane'. He tells us that the permission to marry one's cousin germane was the result of the action of an important state official who happened to marry his cousin who was an heiress. Being a favourite of the people, his action was condoned and a law was passed whereby it was lawful to marry one's cousin germane but not 'in any higher or nearer degree of consanguinity'. Plutarch thought that the Romans did not espouse in marriage women who were near of kin and discusses the question why they did not. He mentions three possible and plausible reasons

for their practice. First, they were desirous of increasing their kinsfolk by marrying with fresh families. Second, they feared marriage with women of near kin might lead to quarrels among the kinsfolk. And third, they apprehended diminution of husband's authority in such marriages, as the wife's relatives being also husband's near kin were very likely to be nearby, ready to support the wives.⁴³

Jevons informs us that in the opinion of Klenze, Walter, Burchardy, Gottling, and Gerlach prohibited degrees extended 'as far as the extreme limit of the Near Kin, i.e., to second cousins once removed'. Rossbach, on the other hand, maintains that the prohibition extended to the first cousins only.⁴⁴ The bulk of the informed opinion is thus in favour of considering the Roman prohibited degrees in the Regal period (750-510 B.C.) as having extended to second cousins.

Further history of the Roman prohibited degrees, though likely to be very instructive, is not quite clear. For example, we do not get any guidance to place the particular instance of marriage of first cousins which Plutarch has alluded to. It appears from a statement of Ulpian (third century A.D.) that at some time prohibited degrees were curtailed by one degree. That is, it would appear, it was possible for a person to marry the son or daughter of his first cousin but not the first cousin. According to the same authority the impediment to marriage further receded to the third degree, first cousins being eligible to marry each other. When exactly marriage of first cousins came to be allowed we do not know. Launspach tells us that the prohibited degrees were narrowed after the first Punic War. The case of Scipio marrying his first cousin in the adoptive relationship occurred about 160 B.C. It is stated that it was competent to marry one's first cousin in the age of Cicero (born 106 B.C.). Julia, the daughter of Augustus Caesar married her first cousin M. Marcellus. Marriage of first cousins continued to be valid for some time but seems to have been forbidden by some emperor preceding Arcadius and Honorius (end of the fourth century A.D.), who again legalized it. The *Institutes of Gaius* (second century A.D.) are silent on the point; and a French commentator remarks: 'Marriage was permitted between collaterals, only when both were two degrees at least from a common ancestor.' We may take it that marriage between first cousins was valid at the time of Gaius.

The marriage of a man with his brother's daughter, i.e. marriage with a relative in the third degree of Roman computation was first practised by the emperor Claudius by marrying his brother's daughter Agrippina (first quarter of the first century A.D.). Since that time, marriage of a man with his brother's daughter was valid till it was forbidden by Constantine the Great about the beginning of the fourth century A.D. Though the special case of Claudius and Agrippina opened the way for a man's marriage with his brother's daughter, it was not permissible to marry the daughter of one's sister. We are informed that not only was the permission to marry one's brother's daughter not utilized but that even the special marriage of Claudius shocked Roman sentiment. Nor was marriage with any other relative in the third degree allowed. And Gaius expressly states: 'Marriage is prohibited with either a paternal (*amitam*) or maternal (*materteram*) aunt.' Both these relatives stand to a person in the third degree of relationship according to Roman computation. There were also restrictions based on affinity. Thus a man could not marry his former mother-in-law or daughter-in-law.⁴⁵ It is interesting to note that neither Gaius nor Justinian lays down the rule of prohibited degrees in terms of degrees of relationship. They only specify the particular relatives who may not be married, or sometimes who may be married.

Actual examples of marriages are very instructive in a study of the prohibited degrees of any people. We have made some effort to gather together a few cases. We have already mentioned the case of Scipio Nasica Corculum marrying his agnatic second cousin. A few years earlier occurred a much more interesting marriage in the same family. Scipio Africanus Major married Aemilia, the daughter of L. Aemilius Paulus. P. Cornelius Scipio Africanus was the eldest son of this marriage. He, having no son, adopted a son of L. Aemilius Paulus, i.e. his own maternal uncle. This lad on adoption came to be known as P. Cornelius Scipio Aemilianus Africanus Minor (born 185 B.C.). He married Sempronia or Cornelia, sister of Tiberius Gracchus and the daughter of Cornelia, who was a daughter of Scipio Africanus Major. Leaving aside the adoptive relationship, we see that Scipio Minor married his sister's daughter's daughter. In the adoptive relationship he married his father's sister's daughter. Pompey had proposed to Cato

the Younger that he should give in marriage two girls who were Cato's sister's daughters, one to himself and the other to his son. Tiberius Claudius Nero Caesar and Claudius Drusus Nero, known as Drusus Senior, were brothers. Drusus Junior, the son of the former, married Livia, the daughter of Drusus Senior. It was a marriage between agnatic first cousins. M. Marcellus, who was at first fixed upon by Augustus as his successor, was the son of Augustus' sister Octavia and was married to Julia, the daughter of Augustus. The marriage of Marcellus and Julia was thus the marriage of cognatic first cousins. Tiberius was already adopted by Augustus. Livia through the mother's side was a granddaughter of Augustus, being the daughter's daughter of Octavia, sister of Augustus. In the adoptive relationship thus Livia married her second cousin. Livia's brother Germanicus Caesar married Agrippina, the daughter of Agrippa and Julia, the daughter of Augustus. Thus he married his second cousin. Tiberius Claudius, known as Emperor Claudius, married Agrippina, the daughter of his brother Germanicus Caesar, this being the third marriage of Agrippina. Agrippina's first husband was one Ahenobarbus who was the son of the mother's sister of Germanicus Caesar. Ahenobarbus in his marriage with Agrippina thus married his first cousin's daughter. Agrippina bore to Ahenobarbus a son called Nero. After her marriage with Emperor Claudius she effected the marriage of Nero with Octavia, a daughter of Emperor Claudius by another wife. Through the father's side, in marrying Octavia, Nero married his second cousin, his father's mother and Octavia's father's mother being sisters. On his mother's side, leaving aside the new relationship created by Agrippina's marriage with Claudius, Nero married his mother's first cousin, Agrippina, his mother, being the father's brother's daughter of Octavia.⁴⁶

Consent of the elders was always necessary for a valid marriage. What is particularly interesting in this aspect of marriage is the distinction made in the marriage of a girl and that of a boy. While in the former case consent of the grandfather was asked, if he was alive, without that of the father, in the latter case the consent not only of the father but of the grandfather and of the great-grandfather, if they were alive was necessary.⁴⁷

Before we proceed further with the marital history of the Roman people in so far as it bears on their family organization, it is necessary to summarize the results of our discussion so far in regard to the probable extent of the *familia*. Commenting on the prohibited degrees of early Rome, Warde Fowler remarks that the fact that second cousins could not marry one another 'was, no doubt, a survival from a period in which families of three [four] generations lived together under the same roof, and were, therefore, by a well-known psychological law unsuited for inter-marriage'. In support of his contention he adds the observation that 'traces of such large households are not wanting in Roman history'.⁴⁸ Waving aside the question whether there is such a psychological law or not, we may point out that it was not only the agnatic second cousins, who alone could have lived under the same roof as members of the same household under the *potestas* of the same *paterfamilias*, that were prevented from intermarrying but the cognatic second cousins as well, who could not have been members of the same household. The explanation offered by Warde Fowler suits only the prohibition of marriage between agnatic second cousins. If his explanation is accepted, then we will have to postulate that the prohibition of marriage between agnatic second cousins was the original rule or practice and that the prohibition of marriage between cognatic second cousins was a later extension. There is no justification for such a supposition. As for large households, Fowler has not instanced any; and we have failed to trace any Roman household, whose *paterfamilias* was the common great-grandfather, living together with three generations of his descendants.

Launspach in offering an explanation of this prohibition of marriage seems to have followed the lead of Plutarch. He observes: 'The intimate association which continued to exist among gentiles and *familiares* in the early days of Rome admitted and compelled, among closely related persons of opposite sexes, a degree of familiarity which was considered innocuous only so long as the mind was habituated to regard them in the light of brothers and sisters, repelling as incestuous any suggestion of sexual intercourse. Accordingly, we are prepared to find, and do find, the restrictions upon connubium due to relationship relaxed in later ages, when the gentile bond no longer involved habitual physical propinquity; a relaxation

in no way connected with the slackening of the moral sense amongst society at large.'⁴⁹ The first part of the explanation which is based on a certain degree of familiarity between certain relatives reminds one of the *jus osculi*, 'the right of kiss', and of Plutarch's explanation that its function was to accustom the people not to expect more or to go to further lengths. When one asks the further question, as one is bound to ask, why this familiarity came to subsist within a certain circle of kin, the most plausible answer appears to be that it existed among people, who were in their daily intercourse brought together and who behaved as brothers and sisters. Only the second part of Launspach's observation is, therefore, the explanation proper; and it is essentially the same as Warde Fowler's. Only Launspach goes a step further than Warde Fowler and not only thinks that the prohibition of marriage between second cousins was associated with the active and effective interplay of a large kin-group but also maintains that the prohibition was narrowed down, say, to first cousins, when the kin-group actively co-operating in daily life became smaller. If one could furnish from Roman history incontestable evidence for the general existence of a household of four generations in its earlier part and for its narrowing down to a household of three generations only in its later part, i.e. after the Punic Wars, then this explanation can be accepted as satisfactory.

As we have seen, the gens as an effective organization had already deteriorated by 400 B.C. There is hardly any evidence of large joint households holding together persons of four generations. The only traces of the memory of the working unity of four generations are to be met with in this prohibition of marriage with second cousins, in the rule that for a boy's marriage the consent of the great-grandfather, if he was living, was necessary in the second century B.C. and perhaps even later, and in the fact that second cousins used to join together in the celebration of some kind of ancestor-worship represented by the festival of *Caristia*. We shall, therefore, be on solid ground to hypothecate that the kin-solidarity within the circle of second cousins, which is reflected in the two rules and in the festival custom mentioned above, is a remnant of past practice rather than the reflection of contemporary usage. Some time in the past the Romans must have lived in large households comprising four generations, but at the dawn of

Roman history the family organization had dwindled into a smaller unit.

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CHAPTER IX

IN LATIN CULTURE—II

THE Roman law of inheritance and succession bears the strongest testimony to the validity of our contention that the earliest familial organization of the Romans comprised four generations in the unit and that later it dwindled into one of three generations or even two. In the Regal period (750-510 B.C.), on the death of a *paterfamilias* his estate devolved on those of his children, who by the event of his death became *sui juris*, and on his widow. It seems that inheritance among these was *per stirpes*. Thus, if, of two sons of a person there was, at his death, surviving one son with two of his sons, while the other son had predeceased leaving three sons, and if there was no other person entitled to inherit, then his property would be divided in two equal parts, one going to the surviving son and the other to the three sons of the predeceased son. In technical language there was the right of representation, the three sons of the predeceased son of the deceased representing their father. Of the females it seems not only the widow but also the unmarried daughters and the daughters-in-law were entitled to a share. Though Justinian refers to perfect equality of sexes in this matter in ancient law, students of Roman law are agreed that the so-called equality was only nominal. Failing these persons the property of the deceased went to his *gens*. Here we should like to stress the point that between the persons living in the *potestas* of the deceased and his *gens* there interposed no other kin-group. The precise extent of the kin-group, which remained under *potestas* is not known. Our authorities for this period speak of only children. When they deal with the laws of the Twelve Tables (450 B.C.) they speak of grandchildren. But both Gaius (second century A.D.) and Justinian (sixth century A.D.) speak of great-grandchildren as persons under the *potestas* of the deceased and as under the laws of the Twelve Tables capable of being *sui heredes*.¹

The most important change in the law of inheritance and succession that was made by the laws of the Twelve Tables (450 B.C.) was the introduction of a new class of heirs called the *agnati* between the *sui heredes* and the *gens*. This we are

assured was done to meet the needs of the plebeians who had no gentile organization. The property of a person dying intestate devolved upon his heirs called *sui heredes* in so certain a manner that the laws of the Twelve Tables have eschewed its specific mention as being superfluous. These heirs of a person were not so much entering upon an inheritance as 'upon the active exercise of rights hitherto existing though in a manner dormant'. Among the *sui heredes* were included not only the widow and unmarried daughters of the deceased but also his widowed daughters-in-law. Yet their position was by no means independent. Launspach observes: 'The women of the family, the widow, unmarried daughters, and widowed daughters-in-law, were accounted to rank with the men as sharers in the patrimony. Yet in practice they were subjected to rules which effectually deprived them of free disposition over their fortunes, as well as to some extent even over their persons, and the anomaly of their position suggests that the earliest known canons of succession among the Romans represented modifications of a yet older system.'²

When the whole inheritance descended to brothers it was by no means unusual for them to continue holding it in common partnership. The later law of partnership bears some testimony to its derivation from this early type of brotherly partnership. Whether such a partnership was a mere matter of convenience or was an expression of an abiding sentiment or both, we shall be in a position to determine when we pass under review other aspects of the marital and family life of the Romans.

Failing *sui heredes*, property of the deceased devolved on the nearest agnates. As to the precise degree of relationship to which the agnatic circle extended for this purpose, while Woodhouse says that it is not clear, Muirhead fixes it at the sixth degree.³ Justinian (sixth century A.D.), vouchsafes the valuable information that the degree of agnation contemplated by the laws of the Twelve Tables (450 B.C.) was as remote as the tenth, thus establishing the former recognition of the unity of six generations.* And Sandars states that Justinian's own law did not limit it even to the tenth degree.⁴ The nearest agnate refusing the inheritance, it could not devolve on the

* Unity of six generations gives the group of the *propositus* and his fifth ascendant and the descendants of the intervening ascendants. In Roman computation whereby first cousins are related in the fourth degree this unit comprises persons related within the tenth degree.

next agnate but passed on to the *gens*, if the deceased was a patrician; and fell vacant, if he was a plebeian. Right of female agnates recognized by these laws was slowly curtailed through later interpretations 'by denying the succession to any kinswoman of a deceased intestate more remotely related to him than a sister'. The avowed object of such restriction was to prevent the family property from being dispersed.⁵

As it was the nearest agnate that was entitled to inherit on failure of *sui heredes*, the question of representation could not arise. A deceased having one brother and another brother's son surviving him had his nearest agnate in the brother, who was related to him in the second degree of Roman computation, and not the other brother's sons, who were related to him in the third degree. The brother, therefore, excluded the brother's sons. If there was a plurality of agnates entitled to inherit, they must be of the same degree of relationship to the deceased. Thus the father's brother and the brother's son of the deceased were both his nearest agnates, if none nearer than them were available; for both of them were related to him in the third degree of relationship. Whereas among the *sui heredes* inheritance was *per stirpes* and by representation, among the agnates it could not be so. While the agnates could decline the inheritance if they liked, the *sui heredes* could not.⁶

The reason for this distinction between the *sui heredes* and the agnates lay in the rights and duties of the heirs in general and the peculiar position of *sui heredes*. The *sui heredes*, 'self heirs', were, really speaking dormant joint owners of the family estate, who came into their own with the death of the *paterfamilias*; and as the *paterfamilias* 'had not thought fit to terminate their interest in it by emancipating or disinheriting them, they were not now allowed to disown it'. The heir was burdened with the defunct's debt as well as his family *sacra*. Both the burdens might not be thought justifiable by the agnates. As regards debts, it is obvious that an agnate, who was not a member of the *familia* of the deceased, could not have profited by the debts the deceased had contracted, and it was but proper that he should be allowed the choice of not taking the burden from which he had not profited. The *sui heredes*, on the other hand, being in a manner joint owners of the estate, were *à priori* joint debtors and might have derived personal benefit from the debts contracted by the deceased.

The family *sacra* were as much the concern generally speaking of the *sui heredes* as of the deceased. As it was some matter of concern to the state that the family *sacra* shall be maintained, it was proper that the persons called *sui heredes* should be required to maintain them. In course of time, when religious sentiments declined, this sacral responsibility of the heir came to be looked upon as a burden exactly like debts.⁷

Woodhouse points out two main features distinguishing the Roman law of inheritance from that of Greece. First, in the Roman law, testamentary power shows its development very early. This is such an ancient feature of Roman law that, as Sir Paul Vinogradoff points out, it was looked upon as the principal mode of inheritance even in the laws of the Twelve Tables (450 B.C.), intestate succession being looked upon as but a subsidiary expedient. Second, the Roman law is imbued with a peculiar conception of paternal relationship, the *patria potestas*.⁸ We should like to add a third feature, which is as important a characteristic of the Roman law and from our point of view even more so. It is that the inheritance does not pass according to stocks, lines, households or *stirpes* beyond the circle of the *sui heredes*. Outside that circle, as we have seen, it is neither the line of the grandfather nor that of the great-grandfather that is entitled to inherit but it is the nearest agnate. Outside the *familia* proper the law of inheritance does not show any trace of former existence or ideal presentment of wider households, namely, that of the father, that of the grandfather, that of the great-grandfather, etc.

In connexion with this feature, it is instructive to observe another peculiarity of the Roman kinship system, namely, that the degrees of relationship are computed in such a manner that in order to fix the exact degree of collateral relationship subsisting between two persons one must begin by counting with the father of one of them as the first degree, and thus proceed up to the common ancestor, adding one degree for each ascendant, and then descend, adding one degree for each descendant up to, and including, the other person. Thus brothers are related to each other in the second degree, because beginning with one to reach the other one has to ascend once and descend once. One's brother's son is related to one in the third degree of relationship because beginning with oneself in order to reach one's brother's son one has to ascend one

step and descend two steps. Similarly one's father's brother, who is the son of one's father's father, is related to one in the third degree, because to reach him one has to ascend two steps and descend one step.

This way of computing the precise degree of relationship is to be met with among no other people of Indo-European speech. It appears that this way of reckoning is not observed among any other people except the Hebrews among whom, Morgan assures us,⁹ it prevailed. So far, our efforts to get further information regarding this way of reckoning kinship among the Hebrews have failed. We should have liked to know at what period of Hebrew history this system of computation came into vogue. The information one gathers regarding Hebrew sociology, as far as the Hebrew scriptures shed any light on it, appears to harmonize with the other well-known system of computing kinship.

We may designate the Roman system of counting as the gradation or degree system, as the other method is generally known as the generation system. The latter begins with the common ancestor and allows only one degree for each generation. Thus, two brothers are related in the first degree because their common ancestor is only one generation distant, and to reach them from him only one step is necessary. One's father's brother is related to one in the second degree because beginning from the common ancestor, one's grandfather, one has to descend two steps to meet oneself. The specification of the precise degrees of this relationship, namely, between a nephew and an uncle, brings into clear relief the awkward feature of this method of computing kinship. Whereas if we view kinship from the uncle we meet the nephew in two steps from the common ancestor, if we view it from the nephew we have to descend only one step from the common ancestor to meet the uncle. Which degree defines the precise relationship, two or one? Generally it is the more remote degree that is considered to specify the relationship. In the other method, no such problem arises. As a matter of fact the Roman method seems peculiarly adapted to specify the precise degree of relationship subsisting between collateral relatives belonging to different generations. And one wonders if the system of counting was not actually designed to meet, or was not inspired by, such situations.

It would have helped our understanding of the Roman system of computing kinship if we could have exact knowledge of the time and circumstances when, and under which, the system was first used. Unfortunately our authorities on the subject do not shed much light. We have seen that in the Regal period (750-510 B.C.) persons within the sobrinal circle could not marry. We are told that the actual phraseology used was that there could be no intermarriage within the circle of relatives having the *jus osculi*. Authorities on the subject have taken this to apply to second cousins. We do not know whether in the original sources the second cousins are mentioned. Even if second cousins are actually mentioned as unmarriageable, we are not assured that they are mentioned by reference to the degree of relationship. When, therefore, Muirhead informs us that in the Regal period marriage could not take place within the 'sobrinal circle, i.e. of kin within the seventh degree' we are not at all sure that it is not Muirhead who specifies the degree of relationship, knowing the Roman method of computation. If it were certain that the original sources specified the sobrinal circle and its degree of relationship, i.e. the second cousins, and their relationship as of the sixth degree, then it would have been clear that the Roman method of computation was in existence from the days of the earliest social history of Rome. If, on the other hand, as we suspect to be the case, what the sources of information for the Regal period do state is only in terms of the *jus osculi*, while the further interpretations are the views of later scholars, then we beg to stress the fact that even Plutarch, writing in the first century A.D., had no traditional knowledge to help him to specify the relatives between whom the *jus osculi* prevailed.

It is legitimate to conclude from the foregoing discussion that the Roman method of computation was not pre-supposed by, or present in, the prohibited degrees of marriage in the Regal period. It is reasonable to assume it, however, in the laws of the Twelve Tables. Determination of the nearest agnate may require the services of the Roman system of kinship computation.

We have been unable to ascertain when the first unmistakable evidence of the degree system of computation is available in Roman history. We are certain that there is such evidence in

the Institutes of Gaius. In the fifteenth section of the third book there is a clear application of the Roman system of computation. Gaius observes: 'If the deceased have a brother and a son of another brother, it is understood from what we have written before, that the brother has a prior claim, because he is nearer by one degree.'¹⁰ The other system of computing kinship, too, seems to show its traces. Answering the question who are the *agnati* of the Twelve Tables, Gaius observes: '*Agnati* are those who are related to each other as kinsmen, through males, or related on the father's side, like a brother by the same father, a brother's son, or a son of such a son, also an uncle on the father's side, and his son and grandson.'¹¹ It is generally acknowledged that the enumeration of *agnati* is not exhaustive.¹² What we are concerned with here is the system of counting the *agnati* and not their extent.

In each of the two enumerations Gaius mentions agnates of three descendant generations of the common ancestor. Thus in the first enumeration, the common ancestor of the deceased and his brother is their father. The brother's grandson is the great-grandson of the common father. He is the third descendant of the father, the common ancestor. Similarly, in the second enumeration the common ancestor is the grandfather of the deceased. Of the common ancestor, the grandfather of the deceased, the grandson of the deceased's uncle is the great-grandson and the third descendant. The whole scheme is so identical with the scheme of descent of property according to stock, stem, line or household that one cannot but read into it something which is not exactly the Roman system of computing relationship.

Was it necessary for Gaius to mention only three descendants in each case? Did he mean to convey some meaning thereby or is it a pure accident? As the extreme limit of agnation, according to Justinian, was the tenth degree of relationship and even further, these illustrations stopping with the fourth degree in one case, and the fifth in the other, are not only not illuminating but actually misleading. A general direction that any descendant of the brother or the uncle of the deceased would be considered an agnate would have better served the purpose. We are therefore, inclined to see in these illustrations of the *agnati* given by Gaius, some traces of the household or the stock system of considering relationship and of the four-

generations unity of the household. The system of inheritance and succession by lines or stocks does not appear in the laws of the Twelve Tables. May it be that the decline of gentile organization and the dwindling of family solidarity had proceeded far enough even before 500 B.C. for the new law of inheritance and succession to be an imperative need? If so, the Roman method of keeping the pedigrees on the walls of the *atrium* should have suggested to the lawyers the new method of computation of the precise degree of kinship.

Prior to the laws of the Twelve Tables (450 B.C.), kinship and kinsmen were always spoken of as *cognatio* and *cognati*.¹³ The prohibited degrees of the Regal period (750-510 B.C.) applied to both the *agnati* and the *cognati* as they were later distinguished, or to the *cognati* as they were then called. After the Twelve Tables the words *cognatio* and *cognati* came to have a narrower signification and denoted kinship and kin other than *agnatic*. Though the signification thus changed there was only a slight change in the duties and obligations of kin. Property, as before, devolved upon agnates whether they were the members of the *familia* or the *gens*. The *gens* is believed to have been an agnatic or unilinear organization. But if marriage could take place within the *gens*—and, as we have seen, there was nothing to prevent its taking place—for the descendants of those persons, who were married within their *gens*, the *gens* included not only their agnates but also a number of their cognates. To that extent the *gens* could be a bilateral organization, very much like the Teutonic kindred. The laws of the Twelve Tables introducing the claim of the nearest agnate to inheritance, extending to the sixth or tenth degrees of agnatic relationship, strengthened the agnatic hold on the property in preference to the gentile claim. We may therefore, look upon the laws of the Twelve Tables as introducing and strengthening the agnatic or the unilateral basis of kinship in the disposal of property. As the plebeians had no gentile organization, this was the best way in which the property of a plebeian dying intestate could be allowed to be enjoyed by his relatives.

The claims of cognates thereafter came to be first introduced by the praetors. As Justinian tells us, ‘ the praetors, correcting by degrees the asperity of the civil law, or supplying what was deficient, were led by their feeling of equity to add in their edicts a new order of succession ’. Cognates were admitted

according to the degree of proximity in order to redress the grievances of females, who, though they were near kin to the deceased, were excluded from inheritance as agnates, excepting a sister. Further praetorian edicts fixed that the claim of cognates extended as far as the sixth degree of cognation. In the seventh degree it extended only to those cognates who were the children of a second cousin.¹⁴ Thus the property law, too, came to recognize the bilateral basis of kinship but with a slight difference. Whereas on the agnatic side of kinship even the tenth degree of relationship is believed to have created a claim to the property of an intestate, on the cognatic side the claim extended generally to the sixth degree and only in one special case to the seventh degree. In the law of prohibited degrees the slight distinction between agnatic and cognatic kinship, the tie of the latter being considered stronger, observable in the permission to marry one's brother's daughter but not one's sister's daughter, operated only in a very special case. The laws of prohibited degrees, therefore, must be considered to have continued to operate, with all the ups and downs, on the basis of bilateral kinship.

Why did the praetorian law fix the limit of cognatic relationship at the sixth degree generally, and in the particular case of the second cousins, at the seventh degree? We may draw attention to a peculiarity which we observed in the Greek law of inheritance. Though a man's second cousin was not entitled to inherit his property, yet his first cousin's sons could do so. As we have observed, property was allowed to be claimed by the third descendant of the common ancestor, the grandfather. In the praetorian law it is the fourth descendant of the common ancestor, the great-grandfather that is allowed to inherit. In the Greek case the usual and general claim was confined to the two descendants of the common grandfather, i.e. it was between first cousins. The unity conceived was of three generations. In the Roman case the general and usual claim accrued to three descendants of the common great-grandfather, i.e. it was between second cousins. The unity conceived was of four generations. In both cases, however, as a special favour one further degree down was allowed to claim the inheritance. Herein must be lying undiscovered by the present writer some principle of familial organization which could explain the special extension of claims to property. Whatever it may be,

it will not be reasonable to suggest any casual relation between this feature and the Roman system of computation of kinship, for as we know, the Greeks computed their kinship on the basis of generation.

Did the praetors follow some older model in their definition of the limits of cognation? We know that many authorities interpret the rule of prohibited degrees of the Regal period in terms of the Roman computation of relationship. The rule stated in these terms was believed to be that persons related to each other in the seventh degree could not marry. Muirhead and Warde Fowler maintain that the rule prohibited the marriage of second cousins. Some European authorities, on the other hand, believed that it prohibited marriage with second cousins once removed, children of second cousins [?]. The praetorian limits of the cognatic relationship for purposes of inheritance exactly coincide with the rule of prohibited degrees of the Regal period thus interpreted.

Testamentary disposition of property, which is so characteristic a feature of Roman law in the earliest times, was not meant to deprive the rightful heir of his claim in the family property. It was a mode facilitating the continuance of the family and its *sacra* in case they were in danger of becoming extinct. But a power like that was sure to be used somewhat indiscriminately. Woodhouse has remarked on the great contrast between the Roman courts and the Athenian juries in their attitude towards the will of the deceased. Whereas the Athenian jury voted for the relatives of the deceased rather than for his will, the Roman courts tended to uphold the will.¹⁵ This indicates a marked decline in the respect for relationship.

With the general decline in the respect for relationship also proceeds a certain diminution of religious feeling and morality. The duty of a father to provide for his children began to be lightly treated, and children came to be disinherited, or cut off with a nominal share of the family property, in order to favour a stranger. This led to a new practice being established in the interests of children, namely, that every child of a deceased was entitled to at least a fourth of the father's estate, whatever the terms of the testament, unless valid reasons could be brought forward to exclude it from inheritance. Children, too, showed sufficient lack of filial piety to make wills of their

property to the prejudice of their parents. Challenging such testaments came to be a recognized practice. In the heyday of the *patria potestas* all the earning and acquisitions of children *in potestate* belonged to the *paterfamilias*. It was in the interests of soldiers that Julius Caesar and Augustus made concessions in this respect. What was acquired by soldiers in the active exercise of their profession was called *peculium castrense* and could be disposed of by them by testament even though they were *in potestate*.¹⁶ Constantine devised another species of property, designated *peculium quasi castrense*, for the benefit of those who served in the palace or followed one of the liberal or administrative professions.¹⁷

The marital and familial life of the early Romans is known to us only partially and that too from late writers. Dionysius (about the end of the first century B.C.) tells us that 'Romulus did not allow the husband to arraign his wife for adultery or desertion, nor the wife to take her husband to court for ill-treatment or unjust repudiation'. His most important rule read: 'A wife who is joined to her husband by the sacred ordinances shall have all property and all rites in common with him.' The main occupation of the Roman matron was the management of the entire household with the help of menials and slaves, spinning and weaving and the education of young children. She was not confined to a particular part of the house and used to have her meals along with her husband.¹⁸ While the Roman matron who married under two of the three known forms of marriage passed under the control of her husband, in the third form she did not come under his *manus* so well. The only requirement of this method of marriage was cohabitation for a whole year with the intention of marriage. There was further a very simple procedure by which a wife could avoid her husband acquiring a prescriptive right over her. Under this form of marriage the wife retained the freedom of her person and property but acquired no right over her husband for her maintenance. This kind of 'free marriage' though recognized in the laws of the Twelve Tables is believed not to have been very much practised till after the Punic War about the beginning of the third century, B.C.¹⁹ In the sacramental form of marriage, the wife was introduced into the household in a religious manner so that she should be able to share in the worship of the household gods, in the tendance of

the ancestors or in any special cult belonging to the family of her husband.²⁰

Plutarch describes the great success of the early Roman marriage system in the following words: 'Numa (715-672 B.C.), though he preserved entire to the matrons all the honour and respect that were paid them by their husbands in the time of Romulus, yet obliged them to behave with great reserve, and to lay aside all impertinent curiosity . . . Nay, what is recorded of a few infamous women is a proof of the obedience and meekness of the Roman matrons in general . . . ; so the Romans relate, that Spurius Carvilius (last quarter of the third century B.C.) was the first among them who divorced his wife . . . and that Thalaea, the wife of Penarius, was the first that quarrelled, having a dispute with her mother-in-law Gegania, in the reign of Tarquin, the Proud, (end of the sixth century B.C.). So well framed for the preservation of decency and propriety of behaviour were this lawgiver's regulations with respect to marriage.' Festus (second century A.D.) has preserved the old sacred precept which, under pain of religious penalty, enjoined the daughters-in-law to behave in a seemly way to their parents-in-law. Coriolanus, who was dearly attached to his mother, was living with her as one family with his wife and children. Plutarch observes with satisfaction: 'He even married in compliance with her desire and request, and after his wife had borne him children, still lived in the same house with his mother.' Publicola lived with his married brother, as Plutarch tells us that some very secret information was given to him in his house in the presence of his brother and his wife. Evidently Publicola too was married.²¹

We learn from Dionysius that Spurius Carvilius divorced his wife for barrenness, and that he had to swear before the censors that his wife was barren before the divorce was granted. He was hated by the commons for this act. Authorities like Marquardt think that this was not the first case which did not involve any disgrace and condemnation of the wife. Though rarity of divorce can establish the stability of the marital tie, it does not enable us to draw any significant conclusions about the fulfilment of married life. Ideas of sex-morality were definitely one-sided. In the laws of the Twelve Tables dissolution of marriage is allowed in the form of repudiation of the wife by the husband. Valerius Maximus (early part of the

first century A.D.), who informs us about such a dissolution occurring in 300 B.C., mentions that a council of the family or friends had to be summoned for repudiating a wife on the ground of either adultery, perverse conduct, or drinking wine.²² Plutarch, who applauds Numa's regulations about marriage, records the following practice. A Roman husband, when he had a sufficient number of children, and was applied to by one who had none, might give up his wife to him, and was at liberty both to divorce her, and to take her again.²³

Lest this description should paint a one-sided picture that everything was all right with marriage and family in early Rome, and that all women were then models of innocence and virtue, we must point out that as early as 403 B.C. there was a censorial decree against celibacy. Earlier still came the doings of the two daughters of Servius Tullius (578-534 B.C.) the sixth legendary king of Rome. They were married to two Tarquinius, who were brothers. The wife of the younger brother apprehending that her husband would resign the sovereignty to his elder brother, resolved to destroy her father and her husband. She persuaded her sister's husband to kill his wife and she murdered her own husband. The survivors then married, the wife inciting her husband to kill her father, which he did. Thus the woman had her ambition satisfied. The period of mourning laid down by Numa is instructive in this behalf. Women were to mourn for a father, a son or a brother for not more than ten months. Widows were to observe mourning for their husbands for ten months and were not to remarry within that period. If any widow wanted to marry before that period, she was required to sacrifice a cow with calf.²⁴

Authorities on Roman history are agreed that there was a great change in Roman life brought about by the Punic Wars. As Wright observes, marriage by *usus* got the greatest chance then because many energetic men were killed in the Punic Wars, and new cults, particularly the rites of Bacchus, were introduced. A large number of husbands were away at the wars leaving their womenfolk to their own devices. About the nature of these marriages he remarks: 'These unions, in which both men and women were left far more independent than they had ever been since in European countries, were purely a matter of mutual advantage and social convenience.

They had no religious sanctity and even as legal partnerships they were, both in theory and practice, very easily soluble.'²⁵ As a result of the accumulation of wealth, women had already begun to be opulent, which further influenced their position in and attitude to life. During the stress of the war in 215 B.C. the Oppian Law was passed in order to check extra expenditure on ornaments and such other requirements of women. And it bespeaks volumes for the spirit of the times that very soon after peace was achieved, the law was repealed in 205 B.C.

Livy has described the great duel of oratory between Cato Senior, who stood up for the old Roman virtues and thus represented the conservative element, and Valerius, the liberal, who stood for progress, during the discussion on the proposed repeal of the law. In spite of Cato's arguments and in spite of the respect that people had for Cato and for his simple ways of living the law was repealed. The way was thus opened not to progress necessarily, as Valerius thought he was doing, but to extravagance certainly, which was lamented by a number of thoughtful people and had its share in the moral debacle that overtook Rome by the end of the Republican period. Cato is said to have made the following pungent remark about woman's role: 'All nations rule their wives, we rule all nations, but our wives rule us.'

Leffingwell observes on the strength of the data furnished by the works of Plautus and Terence (second century B.C.) that 'The Roman women began more and more to array themselves in gorgeous toilets, to wear an abundance of rich jewellery, and to drive through the city in expensive carriages. They employed both male and female slaves in their personal service and required a long list of workmen of every kind to satisfy their wants. Styles in dress apparently changed almost as rapidly and were adopted almost as eagerly as at present.' Though the perpetuation of the family through progeny was declared to be the main object of marriage, the standard of ease and luxury desired by the populace led them to seek comfort and avoid the troubles of matrimony. Plautus in one of his plays puts the argument in the mouth of an eligible bachelor thus: 'My house is free; I too am free, I want to enjoy life. Thanks to my own riches I could take to myself a wife well-dowered and of noble lineage, but I don't want to bring

a barking dog into the house . . . As long as I have a host of relatives, what need have I for children? Now I live in comfort and happiness, doing just as I please and following my own inclination.'²⁶

In 180 B.C. the Consul Piso was believed to have been murdered by his wife. Perhaps it was the same Piso who lamented the disappearance of chastity in Rome. Divorce began to be a common practice. To counteract the forces working in favour of childlessness, some bait was offered to people rearing their own children. Thus in 168 B.C. freedmen who had a son five years of age or over were given some political privileges. The Maenian law (168 B.C.) displaced the family council as divorce court and substituted for it a court of inquiry nominated by the praetor. This change not only facilitated divorce but it diminished respect for the domestic council, which used to smooth many a bickering. It also made the idea of divorce very familiar. Metellus Macedonicus, one of the two first plebeian censors, is reported to have uttered in 131 B.C. words which are significant: 'If we could live without wives we should not have all this trouble. Since nature has brought it about that we can neither live with them in peace nor without them at all we must ensure eternal benefit rather than temporary pleasure.' He proposed, therefore, that all citizens should be compelled to marry.²⁷

The revolution in women which thus began within the household in matters of dress and expense began later on to affect 'the life and bearing of women in society and politics'. Between 120 B.C. and 78 B.C. the emancipation of wives and daughters from the control of their husbands and fathers was completely achieved. What is particularly instructive is that the domestic emancipation, achieved in the interests of cultivation of culture, tended to belittle wifehood and motherhood. As Warde Fowler observes, 'More and more the notion gained ground that a clever woman who wished to cut a figure in society, to be the centre of her own *monde*, could not well realize her ambition simply as a married woman. She would probably marry, play fast and loose with the married state, neglect her children if she had any, and after one or two divorces, die or disappear.' Not satisfied with their freedom from restrictions on their behaviour which bore a marked contrast to those on the conduct of males, many of the 'new

women ' of the first century B.C. claimed for their sex licence greater than that allowed to men.

Though in actual life woman assumed new roles the ideal as interpreted in the marriage ritual remained more or less the same as the ancient one. Catullus (84-54 B.C.), Rome's greatest lyric poet, records one of the benedictory verses, which were sung, at the end of the rites to give encouragement to the newly-married couple, by the matrons who were *univirae*, ' wives who have had but one husband '. It read: ' Sport your fill and never spare. Let us have an infant heir of the noble name. Such a line should ever last As it has in ages past, Other and yet the same.'²⁸

The social results of the five generations of war, revolutions and massacre that Rome went through after the Punic Wars were very calamitous, and are thus summarized by Wright: ' The foundations of the home were undermined, and at no period, perhaps, of the world's history was family life further divorced from all sound rules of simple living and honest morality than it was in the age of Caesar and Cicero.'²⁹

Of the attempts made by various persons, and particularly by Augustus, to stem the tide of immorality we shall know later. It is sufficient for our purpose at present to note that they so far failed of their purpose that in the first century A.D., in the age of Nero, we find Roman society in no better condition. Tucker, classifying the Roman women of that age into eight groups of whom the matronly type is only one, remarks that women of at least five types were most likely childless; and many a noble Roman house was threatened with extinction. Of these five types one represented a perfect frenzy for manly sports, indulging in mixed bathing, another believed in exposing her beauty only when she went out for business, a third had a passion for finery and ruinous expenditure. The fourth, perhaps the worst type, is thus described: ' There is Eanidia who is shrewdly suspected of having poisoned more than one husband, and who has either divorced or been divorced by so many that she has had eight of them in five years, and dates events by them instead of in the regular way by the consulships.' There was the fifth type, which was all selfishness and frivolity, and was ready to weep over a sparrow but ' let her husband die to save her lap-dog's life '. Another type cultivated bright conversation and would take her poor

husband to task for a grammatical mistake. Lastly there was the ambitious type which interfered in elections through 'feminine' influence and happening to be the wife of a big official would harmfully meddle with the administration of justice.³⁰

We have already quoted the opinion of Warde Fowler that religion which had a double aspect, that of the State and of the family, had an arrested development at Rome. Religion was more a matter of practice than of emotional *rapprochement* with the supernatural, a matter of certain rites rather than one of philosophy. Here we are directly concerned with the development as it took place, and either affected social and family life or was an index of a change. The domestic religion as practised in early Rome involved some kind of prayers and devotions offered before the household shrines at least twice in a day. Once a year the fire of the vestal hearth was extinguished and 'forthwith rekindled with prescribed rites and solemnities, at which the whole family assisted under the presidentship of the *paterfamilias* and his wife'. Like everything else in Roman life religion, too, was deeply affected by the Punic Wars and the contact with the outer world they brought about. Two great writers of the second century B.C., Ennius and Plautus, 'taught the ignorant Roman of their day not only to be indifferent to his deities but to laugh at them'. How far respect for religious functions had declined is made clear by the fact that important religious offices were given away to mere youths.³¹

That indifference to religious functions was not confined to the domain of State religion but had also invaded the field of domestic religion is evident from some passages in the drama of Plautus called *Aulularia*, 'The Pot of Gold'. In the prologue, which is spoken by the *Lar Familiaris* of the house, it is stated that the *Lar* informs the daughter of Euclio, who is the householder, that there is a secret treasure buried in the house. The treasure was laid there by the grandfather of Euclio. Euclio's present circumstances being poor, he could not find the necessary dowry for his daughter. The daughter was very sedulous in making her offerings to the *Lar Familiaris*, while neither Euclio nor his father had paid him proper reverence. Evidently the *Lar Familiaris* was pleased with the daughter of the household for the offerings she had made to

him. Two generations of males, the heads of the household, had almost neglected the worship of the *Lar*.³² Another aspect of the religious decline is recorded by Lucretius in the first century B.C. He tells us that 'even those who think and speak with contempt of the gods will in moments of trouble slay black sheep and sacrifice them to the Manes'. Thus the element of fear, which was only one of the features in the earlier religion, tends to become almost the only incentive. The double attitude, one of scepticism and the other of fear, reflects progressive undermining of whatever ennobling influence formal religion had. It is likely, to judge by literary allusions of the Augustan age, that the feeling of *pietas* characterizing the worship of the household deities still continued in country districts, along with joyous festivals. But in the city, the great mass of the population—and we must remember here that the large number of the old patrician families had died out—knew nothing of those rites which the upper and the wealthier class of Rome was still carrying on as a matter of form and custom. These rites pertained to the tendance at ancestral tombs, to ceremonies attendant upon marriage, puberty and birth.

While the private rites were conducted, whenever they were practised, purely formally, the State cults were attended to with carelessness and negligence.³³ In spite of the efforts of Augustus the religious debacle proceeded apace so that in the first century A.D. the religious mind of Rome was thoroughly divided. There were people who were ready to recognize any new deity. The poets found deities useful only as literary material. The public men placidly looked upon religion as a thing useful to society. Philosophers looked upon current religious conceptions as unsound and morally useless.³⁴ The complete turn of the wheel is aptly described by Sir Samuel Dill in the following words: 'Roman religion did not demand any profession of faith in any theory of the unseen; all it required was ceremonial purity and exactness. And the Roman world was never scandalized by the spectacle of a notorious sceptic or libertine holding the office of chief pontiff. If a man were more scrupulous himself, philosophy, whether of the Porch or the Academy, came to his aid. It would tell him that frail humanity, unable to comprehend the Infinite God, had parcelled out and detached his various powers and virtues

which it adored under material forms according to its varying needs. Or it found a place for all the gods of the heathendom, as ministering or mediating spirits in the vast abyss which separates us from the unapproachable and Infinite Spirit. If the legends which had gathered around the popular gods offended a tender moral sense, men were taught that apparent grossness was an allegorical husk, or a freak of poetic fancy which concealed a wholesome truth.'³⁵ Having failed to handle their Indo-European heritage in a proper manner to suit their changed circumstances, the Romans found themselves without an effective barrier against Christianity. All this, woman's bid for a free life, man's desire to enjoy himself unfettered, diminution in the religious feeling and the consequent blunting of the moral edge, must have had its repercussions on family life.

To appreciate the change which came about in Roman family life, we must study the Roman family as a working unit through history. Lives of Roman worthies should reveal to us the Roman family as a working unit. Some personal histories, therefore, will be dealt with. Besides throwing light on the nature of the family unit they will enable us to appreciate better why the so-called reformers failed to buttress Roman society.

We shall begin with Cato Senior, who first tried to stem the tide of luxurious life and attempted to lead his people back to the practice of old Roman virtues. Plutarch tells us that Cato was very particular in his behaviour towards his son. He kept strict decency, even not bathing with him, a decency that was general at that time, according to Plutarch. Similarly sons-in-law and fathers-in-law avoided bathing together. After the death of his wife Cato married his son to the daughter of Aemilius Paulus, another great man known for his character. Cato, his son and his son's wife lived together as one household. Cato used to be visited by a young female slave whom he liked. The secret could no longer remain so with the daughter-in-law living in the small house. Cato's son and daughter-in-law gave some indications of their not approving of the affair. Cato persuaded an old secretary of his, Salonius by name, to give his daughter in marriage to him, though she was very young, and though Cato himself was advanced in age. Cato brought his new wife into the same

household. He had a son by her whom he named Saloni^{us} after his maternal grandfather. Plutarch sees the awkwardness of Cato's action and he castigates him in the following words: 'For it was by no means decent, at his great age, to bring home to his son and daughter-in-law, a young wife, the daughter of his secretary, a man who received wages of the public. Whether he did it merely to gratify his appetite or to revenge the affront which his son put upon his favourite slave, both the cause and the thing were dishonourable.'³⁶

Aemilius Paulus, who was consul in 168 B.C. at the age of sixty, had married Papiria, the daughter of a former consul, and had four children by her. He afterwards divorced her, the reason of his action not being known. He married a second wife by whom he had two sons. He gave away in adoption the two sons from his first wife into another family. One of his daughters was married to Aelius Tubero. Plutarch mentions as a speciality of these Aelii that no less than sixteen of them, with only one small house and one farm, lived together with their wives and children as one family. With this behaviour he contrasts the ways of his times. He remarks: 'Very different is the behaviour of brothers and other relations in these days; who, if their possession be not separated by extensive countries, or at least rivers and bulwarks, are perpetually at variance with them.'³⁷

Terence in a play called the *Hecyra*, the 'Mother-in-law', describes the general concept about a woman's mother-in-law prevalent in the Roman society of the second century B.C. She was looked upon as generally hostile to her daughter-in-law. In the particular play we learn that the father, mother and their married son with his wife lived together as one family. We also learn that the pattern of behaviour between a man and his mother-in-law was unrestrained.³⁸

Marcus Crassus was brought up in a little house as a member of a family, consisting of his parents and his two brothers and their wives. All sat at one and the same table.

The great Pompey had the courtesan Flora as his favourite. She was also very fond of him. It is characteristic of the times that when Caecilius Metellius adorned the temple of Castor and Pollux with statues and paintings he placed Flora's picture among them. During Pompey's absence on his great conquests his wife Mucia, who was the daughter of Scavola, consul in

95 B.C., was unfaithful to her husband with Julius Caesar, though she had borne two sons and one daughter to Pompey. Pompey on his return divorced her. For political purposes he made an offer to Cato Junior. Munatius went with the commission to Cato and delivered it in the presence of his wife and sisters. The offer was that of the two daughters of Cato's sister one was to be given in marriage to Pompey himself and the other to his son. Cato, the man of character that he was, declined the offer. Pompey then married Cornelia. Plutarch tells us: 'Many, however, were displeased with this match, on account of the disproportion of the years; they thought Cornelia would have been more suitable to his son than to him.' Pompey, before his marriage with Cornelia, married Julia, the daughter of Caesar. This Julia was already betrothed to one Caepio, yet for purposes of cementing a political alliance Caesar, who had debauched Pompey's wife, now gave his daughter in marriage to him. Caesar had promised Caepio that he would get him Pompey's daughter though she was already betrothed to another. Caesar himself married the daughter of Piso for whom he procured the consulship. Cato Junior, the great-grandson of Cato Senior, and a gentleman regarded as typical of old Roman character, protested loudly against these transactions. As Plutarch tells us, he 'called both gods and men to witness, how insupportable it was that the first dignities of the state should be prostituted by marriages, and that this traffic of women should gain them what governments and forces they pleased'. It speaks for the atmosphere of the times that Cato Junior himself in his private life should not have been able to present an essentially different picture. Cato's one sister, mother of Brutus, was a mistress of Caesar. Servilia, perhaps another sister of Cato, married to a great man, Lucullus, by whom she had one son, had to be divorced. Atilia, his own wife, Cato had to divorce after she had borne two children. Soon after, he married one Martia. One of Cato's friends, Hortensius, was frank and bold enough to ask Cato to give his daughter to himself to be the mother of his children. The boldness of the proposal lies in the fact that Cato's daughter at that time was not only married but had borne two children to her husband. The sophistry of Hortensius as put down by Plutarch bears quotation: 'The thing itself, he owned, was uncommon, but by no means unnatural or improper. For why should a woman in the flower

of her age, either continue useless, till she is past child-bearing, or burden her husband with too large a family? The mutual use of women, he added, in virtuous families, would not only increase virtuous offspring, but strengthen and extend the connexions of society. Moreover, if Bibulus should be unwilling wholly to give up his wife, she should be restored after she had done him the honour of an alliance to Cato by her pregnancy.' Cato positively refused to consider the request of his friend for another man's wife. Whether taking his cue from this, or of his own accord, Hortensius made an identical request for Cato's own wife, Martia, whereupon Cato made the grant of his friend's request dependent on Martia's father's approval. The approval came, and Martia was 'espoused to Hortensius in the presence and with the consent of Cato'. The incident brings into clear relief the ideas and practices of the Romans of the first century B.C. It shows how even reformers who wanted to pitch the contemporary life to the tune of ancient Roman virtues of simplicity and honesty, courage and chastity, looked upon their task and their function. Warde Fowler's interpretation of the incident introduces the sordid consideration of money in the transaction. He informs us that Cato divorced Martia in order that Hortensius should marry her no doubt; but that after some years Cato married her again as the widow of Hortensius, with a large fortune.³⁹

Cato, who had lost his parents early, was brought up in the household of his mother's brother along with his sister and the children of his mother by her second husband.⁴⁰

Cato's own household would appear to have comprised his wife and two sisters of his, at least one of whom had two daughters. This household presents the picture of a husband's sisters forming part of the family of a woman. The way Cato's wife also joined his sisters in their displeasure at Cato's refusal of Pompey's offer for his sister's daughters indicates that their relations were happy.⁴¹

Cato bore very great affection towards his brother Caepio. When the latter died, Cato was left co-heir with Caepio's daughter. Plutarch praises Cato's action in not charging any part of the funeral expenses to the account of Caepio's daughter.⁴²

Cicero himself divorced his wife Terentia, who was 'a faithful and on the whole a sensible wife' to judge by Cicero's

letters, after she had lived happily with him for thirty years. Soon afterwards he married a young and wealthy maiden, who was his ward, but finding little satisfaction speedily dissolved his union.⁴³

Augustus made serious and persistent attempts to stem the tide of moral degeneracy that had begun nearly two centuries before him and had increased by his time. He 'brought forward a series of social enactments which aimed at nothing less than the revival of the strict family life of Rome's early history'. It is necessary to pass under review the behaviour of Augustus and his immediate circle, in order to understand partially at least why he failed in his efforts. Such a review will also reveal the depth to which the social canker had penetrated.

Augustus was married at least thrice. His second wife, Scribonia, had been married twice before. By one of her former husbands she had two children. Augustus is said to have married her because she was the sister of the father-in-law of Sextius Pompey whom he wished thus to prevent from joining his enemy Antony. But when he found that the alliance was no longer politically necessary he divorced her in the following year 'on the very day on which she had borne him a daughter, Julia, in order to marry Livia'. Livia was married to Tiberius Claudius Nero, and he compelled Nero to divorce her in 38 B.C. so that he might marry her. This lady had already one son, Tiberius, by her former husband, and was six months gone in pregnancy, which gave her another son, but in the household of Augustus. He was named Drusus. Her son Tiberius was adopted by Augustus. Tiberius was already married and had a son by his first marriage, his wife and son being both alive. Augustus compelled Tiberius to divorce his wife and to marry his own widowed daughter Julia and also to adopt Germanicus, who was the son of Tiberius' brother and the daughter's son of Octavia, the sister of Augustus. Julia was so licentious that Tiberius is believed to have retired to Rhodes to avoid his wife. It was not till four years after Tiberius' retirement that the fond father, thoroughly disgusted with his daughter's doings, banished her to an island.⁴⁴

While the daughter of Augustus was thus the person who disgraced her father, the zealous reformer, his sister Octavia, to whom Augustus was warmly attached, loudly proclaimed

through her manner of living that Roman beauties even in the time of Augustus could be as near as possible Roman matrons of a former age.⁴⁵

Wright has very correctly diagnosed the failure of Augustus to achieve the difficult revolution that he set out to work in the following remarks: 'The only way to raise the general standard of morality in a nation is for those in authority to set an example that will lead to higher ideals. Laws are of little use, and they may be worse than useless, if they are not backed by public opinion. Unfortunately, Augustus himself was neither by character nor his past record fitted to be an exemplar of moral virtue, and when as a practical statesman he saw the dangers which threatened the country, he was almost of necessity forced to attempt a cure by legislative means.'⁴⁶

Women trying to live a life of self-expression, in which attempt they neither cared to have children nor even sometimes for the happiness of their husbands, are not the individuals who would tolerate their husband's brothers' wives or their husband's sisters as their superiors or even as friendly guides. Joint households, therefore, whether between brothers or between fathers and sons, must be considered to have been a rarity by the end of the Republican period. The various general observations of Plutarch, as well as the available personal histories, support the statement. If brothers continued to run a common household it must have been more because of the urge of economic conditions than that of brotherly feelings and sentiments.

We may fitly conclude that the extent of the Roman *familia* hardly went beyond three generations, two generations being the more common limit. Married sons lived with their parents even in the first century B.C., the relations between a woman and her husband's mother being more or less hostile even in the second century B.C. Married brothers are not represented by dramatists as living together in one joint household in the second century B.C. But the relations between a man and his brother's wife, even though of the elder brother, were informal and unrestrained. On the whole, we get the firm impression that family organization and family life of the Romans even in their earliest history was not of the pattern of the Hindu joint family. Various customs and even rules reflect the

persistence of the memory of a working unity of four generations, but there is no positive or even indirect but strong evidence of households comprising persons of four generations living together. Households formed of persons of two generations would appear to have been very common from the early historic times, though those of persons of three generations are not unknown. The position of the father-in-law *vis-à-vis* the daughter-in-law was not one of a person in authority. The mother-in-law of a woman, though represented as slightly hostile, was not the tyrant that she is in the Hindu family. On the whole the family organization with all the power of the *paterfamilias* appears to have been more a matter of convenience than one of very strong sentiment.

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CHAPTER X

GENERAL

WE have studied the history of familial and kin organization in three of the most important early cultures of the Indo-European community. Here we shall very briefly refer to three European cultures whose earliest literary records hardly go back to the seventh or the eighth century A.D. Compared with the records of the Indo-Aryan society they are recent.

The Celtic culture retained unmistakable traces of the joint household of four generations in its laws regarding the devolution of land. Seebohm¹ has ably demonstrated the truth of this remark. It is to be noted that though unilateral grouping of kin outside the family-unit of four generations is not proved—and we are convinced it cannot be proved because the primitive Indo-European culture had not developed this type of organization—the traces of bilateral kindred are not as clear as those we meet with among the Teutons.² The fact that Seebohm³ has been able to demonstrate the clear recognition of a wider kindred of agnates within seven generations establishes the remarkable operation of the law of analogy and lends unqualified support to our contention about single and double extension of a working unity, whether of three generations or four as the case may be.

The Celts had some kind of ancestor-worship and it is noteworthy that a festival celebrated by them at the beginning of winter was connected with it. It is almost certain that their ancestor-worship, though it had developed beyond the stage of communal ancestors and had for its object some individual ancestor or a group of ancestors of the household, did not centre round a specific number of ascendants. What is remarkable is that there are survivals of old practices connected with this festival even now in Ireland, where, on the particular day of the festival, ancestors of the household are believed to visit it.⁴

That the family-unit in early times comprised four generations is the opinion of Seebohm, MacNeill and Hubert. We have already referred to Seebohm's opinion to which it is necessary to add that he considered *gwely* which means

'bed' to be the nearer kindred and that its limit was reached at the level of second cousins. Second cousins alone could break up the *gwely*. Commenting on the fact that in *Beowulf*, the Anglo-Saxon heroic poem, persons are referred to as the great-grandsons of somebody, he points out that even at the time of the Welsh surveys the *gwelys* were known after the name of the great-grandfather of each group and concludes that the nearer kindred, what we would call the family-unit, might be much the same thing in Celtic and Teutonic tribes.⁵ MacNeill⁶ equates the Celtic *fine* with the joint-family consisting of the common great-grandfather and his descendants to the degree of second cousins. Hubert is less specific about the extent of the unit but quite clear about the existence of the joint household. He observes: 'There was an Indo-European word for a house, which Celtic has lost. It was a word with a definite meaning. It is found in Sanskrit *vesah*, in Greek *foikos*, and in Latin *uicus*. This word, as shown by the Sanskrit and Latin forms, meant the great house, the house of a great family, in which there might be several establishments. It is not found in Celtic. This is not because the Celts did not have great houses; we shall see that the case was quite contrary. It is not because the great family had broken up among them; on the contrary, the Celtic family was a great family of people descended from a common forefather, in which several generations, several branches, and swarms of individuals lived in a common life. It was a typical Indo-European family.'⁷

It is instructive to find that a recent investigation by American scholars, Arensberg and Kimball,⁸ in the social life of Ireland amply testifies to the great influence of kinship-obligations in Irish life, especially in the rural areas. Though the group basis of Irish society is the immediate family of husband, wife and children yet the economy of the unit is conceived of as a corporate responsibility especially in rural life. And in many cases households comprise three generations, the grandparents of the children living with their son's families in the house as one unit. It is in keeping with this practice that in popular literature and routine the role of a woman's husband's mother and husband's father is clearly recognized and the need for good relations between them is stressed.⁹

The Teutonic peoples, or Gothonic nations as modern students prefer to call them, seem to stand out a little apart from the other peoples of Indo-European culture in this regard when their legal rules and customs appear in a recorded form early in the Middle Ages. But it will be seen that the differences are mainly due to the stressing of the bilateral principle in response to the socio-political need of an organization in a milieu which had not developed a purely political form of central organization but was rather moving on the tribal plane. Seebohm from his studies of early Scandinavian laws and the early laws of German peoples represented by *Lex Salica* and others, drew our attention to the fundamental identity of familial organization not only among these sections of the Gothonic peoples but also among them and the rest of the Indo-Europeans.¹⁰ Bertha Phillpotts went further in her examination of these and other early laws and, utilizing the great researches of German scholars, presented the data in her book *Kindred and Clan*. As the title shows kindred was not only the new type of kin-organization that characterized the culture of the Gothonic nations, but was also the more important. As regards the familial unit Schutte's observation states the position correctly. Schutte¹¹ says: '... no real continuation of the old Indo-European joint family may be traced after the Gothonic nations' appearance on the scene of history... the joint family had ceased to prevail, at least among the South-West German tribes whom Tacitus had chiefly in mind, by A.D. 1.'

It must be noted with care that among these peoples the traces of ancestor-worship, if any, are the slightest among those of the Indo-European peoples. Du Chaillu's¹² description of ancestor-worship among the Scandinavians contains reference to the decorations of the walls of the houses with tapestry made by the wives and daughters of the family representing the deeds of their forefathers or those of their lord. And though in the case of the Teutons H. M. Chadwick¹³ is positive about abundant evidence for 'manes-worship', yet he admits that the old authorities 'give no indications that participation in the rites was confined to descendants and relatives of the deceased'. We feel convinced that the kind of worship current among Gothonic nations at the dawn of their history was very much of the type of 'hero-cults' rather than that of 'manes-worship'.

The testimony of Bertha Phillpotts, a pupil of H. M. Chadwick, who had pronounced strongly in favour of the prevalence of ancestor-worship among the Danes and the Swedes, is particularly valuable in deciding the point in favour of the view we have stated. Observes Phillpotts: 'It is still somewhat of a mystery why the migrating kindreds, which do show a distinct tendency towards agnation, never completed their development by evolving into powerful agnatic clans, with clan-chiefs for leaders in war. A partial explanation of what we may perhaps call the arrested development of the migrating kindred may perhaps be sought in the religious history of the Teutons. It is obvious that ancestor-worship, so frequently found in connexion with a clan system, must segregate the kinsfolk into organizations either on patrilinear or on matrilinear lines. Now we know that the warlike followers of kings worshipped Odin, the universal and anti-tribal nature of whose cult has been recently pointed out by Professor Chadwick. As the influence of these warriors predominated among the migrating peoples, this cult must have exercised an adverse influence on the rise of tribal deities or deified ancestors.'¹⁴

We shall start with some evidence which bespeaks a familial unit of three generations current early among the far-off Norwegians. Phillpotts stresses what Seebohm earlier pointed out about one species of land which in the Norwegian tribal laws is known as *odal* land. Land which had been inherited from grandfather's grandfather was thus designated. Its alienation was not free but entailed. It could not be alienated unless first offered to the *odal*-sharers, those kinsmen who had a hereditary claim on it. These kinsmen ought really to be defined by the circle of third cousins and we are unable to understand why Phillpotts says that 'these might be as distant as second cousins'. The descendants of a common grandfather's grandfather, having a common fourth ascendant, are appropriately called third cousins and not second cousins.¹⁵

The most important function of kin organization among Gothonic peoples was that of providing or sharing the *wergild* or the compensation for homicide and such other offences committed by persons belonging to one's kindred or against them by others. The schemes of payment and sharing in the *wergild* of the various nations of this group show a fundamental similarity in the proportions and the circles of kin which are

entitled, though differing in some very important features. In all cases the extent to which an individual participates is proportioned to the degree of his relationship to the slayer or the slain. Whereas for inheritance the system is that of households or *parentalia*, as it is technically called in the literature, so that each outer circle of kin came in only on failure of an heir within the inner circle, in the payment of *wergild* the participation of the whole kindred, to its uttermost extent recognized in the community, was the rule. Among Germans for purposes of inheritance the last degree, called in the laws the eighth sib-group, was that of the seventh cousins. Thus nine generations were the uttermost unity, the common ancestor with his eighth descendant.¹⁶ This is also the limit of kin for inheritance in the old laws of Southern Norway.¹⁷ As Huebner has clarified the working of the parentelic system it is identical with the Indo-Aryan system of households. 'The kindred of any individual member of the *sib* (*propositus*) were organized in a distinct group of his own descendants, the descendants of his parents, of his grandparents, of his great-grandparents and so on.' Within the parentelic group of the decedent's descendants inheritance was determined by the degree of kinship.

The bilateral nature of the kindred recognized for purposes of *wergild* is clear from the lack of distinction between agnates and cognates, with the chief exception of one small area, Ditmarschen. Distinction however is drawn between the father's kinsfolk and the mother's kinsfolk but only for the sake of making it, without appropriate distinction in their payment or their share, their proportions in most cases being equal. The extent of the kindred for *wergild* purposes fluctuated between the third degree or the degree of second cousins and the sixth or the degree of fifth cousins.¹⁸ This great variation in the limits of kindred among the various nations of the Gothonic group in historic times is not explicable and the original bounds of the Gothonic kindred for purposes of *wergild* must remain a riddle. Whatever might have been the original bounds of the Gothonic kindred, the fact remains that the Gothonic peoples early developed the original Indo-European pattern of bilateral kinship, in contrast with the development of some kind of agnatic clan by most other peoples of Indo-European culture, out of the primitive institution of the joint family of four generations. And the remarkable fact for social

historians to note is that the shifting bilateral kindred persisted for hundreds of years without local habitation and name, and served the social and political needs of the people quite well.¹⁹

Before we make a brief reference to the nature of family and kin among Slavonic nations, at this befitting juncture we shall have to consider a statement or an opinion voiced many times in the past and rather sporadically in recent times. The need for such a review is twofold. It is seen that on the evidence of kin-nomenclature we have arrived at the conclusion that the primitive Indo-European culture was based on recognition of bilateral kinship and that it was patrilineal in descent with a familial organization comprising three or four generations. The opinion which we refer to, holds, almost wholly on the authority of Caesar's and Tacitus' comments on the Celts and the Germans, that not very much earlier than Caesar's time these Celts and Germans, or rather Gothonic peoples, had matrilineal and mother-right organization. More than seventy five years ago Morgan²⁰ put forward a theory of social evolution in which he postulated that matrilineal and mother-right *gens* seen among the American Indians was the pristine form of social organization. The father-right *gens* as found among the civilized Greeks and Romans of ancient times had evolved out of the previous mother-right organization current among them. Engels, who with Marx formed the twin-deity of communism, soon after Morgan's publication took up Morgan's theory and wrote his then justly famous book *The Origin of the Family*.²¹ He contended in the fourth edition of his book published in 1891 that 'the matriarchal *gens* has become the pivot on which the whole science turns'. He added his interpretation of the cause and stage of evolution from the mother-right *gens* to the father-right *gens* and patriarchal family current in ancient Greek and Roman societies. The change in the nature of economic activity and production bringing in their wake greater accumulation of wealth, and engendering male dominance *inter alia*, was the prepotent cause of the change. In spite of Briffault's attempt at resuscitation of the theory of primitive matriarchy, very few competent anthropologists and sociologists see their way to subscribing to Morgan's theory, and we would not have discussed any aspect of it here. But the fact that Engels' book has been recently reprinted in the exact text in which it was cast by him in 1891

and is being widely circulated and distributed has compelled us to refer to some of its aspects.

Engels'²² argument in respect of the Celtic and Germanic peoples may be thus summarized. The oldest Celtic laws show the *gens* still fully alive. In Wales the laws recorded in the eleventh century A.D. show that the village communities which tilled the village lands in common were *gentes* or subdivisions of *gentes*. Similarly in Ireland even the English jurists of the seventeenth century testify to the land having been the common property of the clan or *gens*. In Irish, *gens* was sept and tribe was *clann*. The rules regarding the division of the common territory must have been the same as those in force in Germany. That the Germans were organized in *gentes* until the time of the migrations is beyond all doubt. Caesar expressly states about one section of them that they had settled in *gentes* and kindreds. The same must have been true of other Germans. The common German name for the *gens* was probably the Gothic *kuni* which is cognate with Greek *genos* and Latin *gens*. The fact that the term for woman is derived from the same root points back to the mother-right origin of the *gens*. Tacitus has recorded the close connexion between a man and his sister's son existing among the Germans. Gothic *sibja* and Old High German *sippe* meant kindred, which included members of at least two *gentes*, being inclusive of relatives by marriage.

We have noted above the more recent researches of scholars dealing with Celtic social history which make it clear that the *gens* in the sense of a unilateral exogamic kin-organization did not exist among them. We shall now point out, in view of the fact that Engels has implied that sept was the Irish equivalent of *gens*, and *clann* that of tribe, that P. W. Joyce says that the word sept is an imported one and that in later times all the members of a sept bore the same surname. Clan, or house as he calls it, was according to him larger. The distribution of land by gavelkind on each occasion extended to the clan or sept and not beyond.²³ What Joyce has in view is *gwely*, the nearer kindred, as Seeböhm appropriately described it, and not any *gens*. Neither sept nor *gens* is thus attested among the Celts. Howard speaks of the Welsh *treus*, household, comprising four generations as the unit of exogamy.²⁴

The postulation of *kuni* as the Germanic term for *gens* rests on mere conjecture. That the primitive Indo-European root

represented in Sanskrit as *jan* 'to be born' is the basis for *kuni*, *genos* and *gens* is granted, but whereas *genos* and *gens*, we know, did represent a grouping we cannot say the same of *kuni*. In Sanskrit the root *jan* gives us not only *janani*, 'mother', the woman *par excellence*, the Vedic *jami*, 'sister', and *jamata*, 'son-in-law', but also *janaka*, 'father'. The same root as pointed out in the third chapter gives us names for son-in-law in some of the European languages. What is more, it is the same root that gives us English 'generation' and 'knee' and Sanskrit *janu*. The last word means knee. And it is well known that both the English words generation and knee are used to indicate degree of relationship, the latter term being so used in olden literature. *Kuni* being cognate with *genos* and *gens* does not prove that it represented an identical form of social organization. Nor does the fact of its being derivable from a root, which is the base for the term for woman, substantiate anything like Engels' inference that the grouping represented by it had woman or mother as its centre.

Bertha Phillpotts, as a result of her painstaking researches incorporating the most approved of German researches on the social history of Teutonic peoples, announced her conclusion on the subject of their kin-organization in 1913. And it is almost wholly opposed to the dictum of Engels on the subject. She observes: 'The evidence we have just adduced thus tells heavily against the case for agnatic clans in the prehistoric period.'²⁵ Even about a small area of Teutonic region, Ditmarschen, where she found evidence of pronounced agnation and some fixity of kin-extent, her remark only supports her general conclusion. She says: 'In Holstein, though it is probable that the participation of the kindreds in *wergild* disappeared sooner than in Schleswig, they left their mark on other institutions, and certain of their functions continue to be exercised until near the end of the eighteenth, and indeed even into the nineteenth century. This is especially, but not solely, true of Ditmarschen, within whose territory alone we find the fixed agnatic kindred which can be loosely termed clan.'²⁶ It is necessary to emphasize that Phillpotts who is convinced of the existence of an agnatic kin-unit²⁷ refers to it as clan only in a loose sense. For it is our contention that not only was it not a clan—and Phillpotts herself tells us²⁸ in her comments on the activities of the Hersens kindred that it comprised members of

not less than three different surnames—but as she herself concludes it was essentially a guild based on kinship, occasionally admitting to the association persons who were not kinsmen. We venture to think that Phillpotts misunderstood the real nature of these voluntary associations and that they are to be compared with ‘communities of collective hand’ described by Huebner as working in Germany in the Middle Ages. Huebner’s remarks being very crucial may be quoted here: ‘Among the primitive and later Germans we meet, in general, with lesser-family only; though examples in which married children and grandchildren remained living in the parental household are not lacking, they are relatively rare. Nevertheless, in the peasant communities of collective hand common in the Middle Ages, which have persisted in some localities down to the present day, reminiscences were preserved of the original greater-family.’²⁹

For his contention that mother-right organization was the prehistoric pattern among the Celts and Teutons Engels receives support from H. M. Chadwick and Bertha Phillpotts for Teutons, and from Hubert for Celts. Chadwick³⁰ as the conclusion of an elaborate argument saw reason to believe that among the Anglo-Saxons father-right organization was a new phenomenon.³¹ Phillpotts, seeing that wherever on the German territory agnation was stressed, the bilateral kindred disappeared soonest and convinced that ‘there is ample evidence from all parts of the world for transition from a matrilineal to a partially or wholly patrilineal society, whereas evidence for the reverse process is signally lacking’ fell back on the theory that the bilateral kindred evolved out of the interaction of the introduction of patrilineal descent and succession in a mother-right people. As against this tenuous reasoning Huebner³² is positive that there is no evidence of mother-right among the Germans, and Schutte has completely argued out the case. He says: ‘The vague expression *quidam* [in Tacitus’ text] only allows of the conclusion that the matriarchal standpoint was to be found in one or another Gothonic tribe, we do not know where; it will not do to generalize it, and on that basis regard the matriarchal social system as originally prevailing amongst all the Gothonic nations as does Feist. The later legal traditions of all the Gothonic nations show no sign of it.’³³

Commenting on the matrilineal succession current among the Picts referred to by Bede in the sixth century A.D., and supporting it by a Latin inscription discovered at Colchester, Hubert,³⁴ after a rather tortuous argument remarks that there is nothing to prove that the Picts were not Celts. The argument is worth quoting to enable the reader to judge for himself the correctness of our conclusion. Hubert³⁵ says: 'In the history of the family the right of cognates, kinsmen on the distaff side, has always been opposed to that of the agnates, kinsmen on the male side. The evolution of the Indo-European *gens* evidently reached a form in Greece, Rome, Ireland, and Wales in which the right of the agnate prevailed over that of the cognate, and in consequence the facts noted among the Picts have been regarded as alien to Indo-European law. But the law to which these facts bear witness also obtained among the Goidels of Ireland, and even among the ancestors of the Welsh. Considerable traces of it are to be found in their legal texts, their history and their epics.' Unfortunately these traces in the legal texts are not laid bare by Hubert; and these and others, therefore, must be considered to be of the same nature as those mentioned by Caesar or by Engels. Hubert himself has stated at another place that Caesar was a knowing man who contrasted the manners of the Picts of the interior with those of the Belgae, who resembled the Gauls, of the coast. 'According to this account the Picts were polyandrous. Polyandry is not matriarchy.' H. M. Chadwick, however, is positive about the succession among the Picts having been from a man to his sister's son.³⁶ It is clear that Hubert's own appreciation of the points involved is very defective. There is involved in matriarchy much more than the rights of cognates. On the other hand, MacNeill³⁷ informs us that among the Celts when a kingship became vacant, any man whose father, grandfather or great-grandfather had been king was eligible to succeed. And Schutte³⁸ is positive that Gaulish religion gives the male sex the pre-eminence among the gods and that therein it differs from the West Asiatic religious tendency. R. A. S. Macalister³⁹ puts the final seal on the question when he declares that the Indo-European patriarchal organization of the Celts superseded the matriarchate of the original inhabitants of Ireland after the former reached there about the middle of the fourth century B.C.

Among the Slavs, Schrader⁴⁰ and Vinogradoff⁴¹ have pointed out the existence of the extended family and a larger kin organization. Among one section of them there was the custom of specifying a person by stating four, and on formal occasion five, items. His personal name was followed by that of his father, which was again followed by that of his grandfather and the combination ordinarily ended with the name of the house-community. On formal occasions the fifth member, which was the name of what may be called the agnatic kindred, the brotherhood as the Slavic expression for it, *bratstvo*, means, was added. The house-community, called the *zadruga* in one section, was settled in the form of a horseshoe round the central hearth. It was formed of a number of smaller households each of which was the ordinary operative unit with the father as its head. The extent of this house-community is not specifically mentioned but from the fact that an individual specified himself with his grandfather's name and that the name of the house-community was added as the fourth member of the combination we may deduce that it comprised not less than four generations. The *bratstvo* limits were given by the name; but its functions as for marriage and property are not clear.

It is worthy of note that ancestor-worship seems to have developed among the Slavs much more than among any other Indo-European people excepting the Indo-Aryans, the Romans and possibly the Celts. We are informed that till recently the peasants of White Russia called the souls of dead relatives *dziady* or ancestors. The Russian peasants believed in the existence of a *dedushka domovoi*, 'grandfather of the house'. The belief testifies to the individual nature of ancestor-worship connected with individual households. The Lithuanians offered sacrifices to the dead on the anniversary of their death.⁴²

It is in keeping with the persistence of the extended family for a long time and of the respectful attitude towards ancestors or 'grandfathers' that, as Elnett⁴³ has described the family life of Russians in the first quarter of the twentieth century, it is characterized by references to the relations between a daughter-in-law and her mother-in-law as well as father-in-law.

Our considered opinion in the matter is that the primitive Indo-European people had not developed a unilateral kin-organization of the *gens*, clan or sept type. The Indo-Aryans,

the records of whose culture, dating back to about 2000 B.C., though about two thousand years or so later than the time when the primitive Indo-Europeans were more or less one cultural community, are more than a thousand years older than the earliest records of Greek culture, which ranks next in point of recorded history, had not developed a clan or sept organization besides the family with its surname, before 1000 B.C. The term for family and its name, which later became the name for clan or sept, has throughout been one and the same, namely, *gotra*. Its etymology makes it the designation of a cowpen. Later it meant even name, not surname but personal name, as in the expression *gotra-skhalitam*, 'mistake about name'. Early enough it meant family name or surname. Later it has represented the Brahmanic exogamous unit. Genealogical connexion is denoted in Sanskrit by the term *vamsa*, 'family, house, heredity, descent'. The idea and connotation of the English word generation are conveyed in Sanskrit by the words *yuga*, 'yoke' and *purusha*, 'male'. Though the Greek *genos* was a clan, its significance was very much inferior to that of the larger organization called phratry. Phratry means brotherhood, being derived from the Greek word for brother. In the *Iliad* (IX, 63) Homer⁴⁴ describes an outcaste as 'one who belonged to no phratry (*aphreton*)'. Engels⁴⁵ himself has quoted the famous passage in the *Iliad* where Nestor advises Agamemnon to marshal the men by tribes and by phratries, 'so that phratry may assist phratry and tribe may assist tribe' to show the importance of phratry as a military unit in Homeric times. We have stated that there is hardly any evidence to show that *genos* was an exogamous unit among the Greeks. As early as Herodotus the *genos*, if it was a live institution any time, had become so dormant and shadowy that to trace the genealogy of one Isagoras he had to appeal to his religious affiliation.⁴⁶ The importance and persistence of phratry in Greek culture gains in significance from the fact that among one section of the Slavs the largest kin grouping is called *bratstvo*, 'brotherhood'. The word is derived from *brat* 'brother'. The analogy with the Greek word phratry is complete in respect of etymology and meaning. As Schrader⁴⁷ has informed us, these Slavs used the *bratstvo* name only after the name of the house-community. It is not known that it was an exogamic unit. In all probability it was only an in-group,

members of which, having a common name to distinguish them from others, looked upon one another as kin and entitled to help and co-operation.

The Roman *gens* has been acknowledged to have been a kin-organization whose limits were not set down in terms of degrees or generations in early law and practice. As to its exact functions and its extent there have been violent differences of opinion. Engels is opposed to the view which looks upon *gens* as a group of related families. He views it as the original unilateral organization and looks upon *familia* as a branching-off section separating itself asunder from it. He has no doubt that it was an exogamous unit. We are not concerned with the political aspects of Latin culture and therefore refrain from considering his rather unorthodox views of the inter-relations between *gens* and the State, but we shall remark upon the continuance of the influence of kinship in the formation of political alliances and distribution of important political and administrative positions. To substantiate his view about *gens* being an exogamous unit Engels has had to repudiate no less an authority on Roman history than Mommsen. For Mommsen has definitely pronounced *gens* to have been an endogamous unit. The argument from absence of wives with the same gentile names as those of their husbands, which Engels advances in such a categorical form, was used, as is clear from our account in the appropriate chapter above, by Hearn some years before Engels. It is seen from our statement of Hearn's view that he was much less categorical regarding the number of such wives, and what is more significant, still less positive and very much more guarded in his inference about the function of *gens* in the selection of marriage partners. Warde Fowler, the specialist student of Roman social and religious history, was very positive on the other side declaring as he did that *gens* was an endogamous unit. We have seen reason to conclude that the *gens* did not matter as either an exogamic or an endogamic unit. Exogamy from very early in the history of Latin culture was governed by the laws of prohibited degrees which comprehended the unity of four generations. As such a unit was the familial unit in early Roman practice and remained an ideal unit in much later Roman thought, the exogamic unit must have coincided with the extended household of four generations.

Here we should like to stress one feature which has commonly been associated with the Roman *gens*, namely, that some of the *gentes* were known for ages for certain abilities, character or stupidities. Fortunately we know that one of the *gentes*, which figures among the important seven, the *claudia*, and which continued to be the same united organization without branches for seven generations, and was noted for its pride and haughtiness, developed from a known person Attius Clausus who founded it in 504 B.C. It is the unbroken historical unity of such *gentes* that led de Coulanges to declare his conviction that the *gens* was not even an association of families but was itself the family. Persistence of specific abilities and character is a supporting indication that marriage usually takes place within the group which shows such persistence. The type by inbreeding becomes fixed. With repeated exogamy the type is bound to show variations.

The opinion that *gens* was a group of related families is not confined to old historians of Rome. Such a recent student as W. R. Halliday⁴⁸ reiterated the same opinion in 1929. That political historians have not clearly grasped the concept of *gens*, or that they have not appreciated its identity with family, is seen in the writings of many. To take a very recent example, H. H. Scullard⁴⁹ has this to say: 'The primary support on which a rising politician depended for electoral success was the influence of his family or clan. If he could not always count on the help of his whole *gens* because of internal political divisions, he would at any rate expect the loyal backing of his sub-*gens*. Then marriage-connexions might secure him help from other families: the nobles were often closely linked by intermarriage, probably more intimately than a superficial glance at the surviving records suggests, because lack of information about the women of the noble families often precludes a detailed study of the links.' Here we have lack of clear-cut distinction between *gens* and family, and to add to the confusion the insertion of an unknown grouping called sub-*gens*. Information about the marriages of noble women is asserted to be woefully lacking, yet marriage-connexions are credited with some share in the electoral success. Intermarriage leading to interfamilial co-operation is one thing, and regular and close inter-linkage by marriage of noble families is another. The former need not have affected

very much the gentile solidarity if any, the latter could hardly have failed to disrupt it, unless marriage within the *gens* was the rule rather than the exception. How difficult it is for a meticulous historian to disentangle the family from the *gens* in the operation of the Roman political field is very well brought out by the following description of the political influence of family and kinship in Roman history given by Scullard.⁵⁰ '... while the 200 consulships from 232 to 133 B.C. were shared by 58 families, 159 of these consuls came from only 26 of the families and 99, nearly half the total, came from only 10. The same families predominated in the tenure of praetorship, although this office was not guarded quite so closely against new-comers; 151 of the 262 praetors known between 218 and 167 B.C. came from 20 families.' To clench the issue regarding the influence of family and kin in Roman history and politics for a much longer time, and much after the era of political reform than is contemplated by Engels, we shall allow W. R. Halliday to speak and speak effectively in favour of the ancient Roman aristocratic families. He says:⁵¹ 'The Roman Republic in fact had become an aristocracy in which the political power lay in the hands of a relatively small number of families, who served the State generation after generation in political office... It was not until the second century B.C. that senatorial rule began to degenerate into party misgovernment in the selfish interests of a single class.' We may conclude that Roman *gens*, whatever its functions, early became a shadowy organization, though the influence of kinship extending beyond the limits of the nuclear family remained an effective social and political force for many centuries afterwards.

Unilateral kin-organization is a growth out of the extended family among the Indo-Aryans, the Greeks, the Romans and the Slavs. The Celts do not seem to have developed such an organization. The Gothonic nations carried on the bilateral principle to create an all-purposes shifting kindred. The unilateral kin-organization, the *gotra*, of the Indo-Aryans, in its developed form being based on ritual affiliation, was an effective institution only as an exogamic unit. Its other functions have been almost shadowy. What the Indo-Aryan culture missed or lost through this peculiarity of its unilateral kin-organization it made up for by nursing its joint family to the limit possible under the living conditions of its habitat.

Functions fulfilled by kinship in Indo-European culture as a whole are seen to be: (i) Religious and quasi-religious, involving participation in some religious worship, observance of mourning or impurity on death; (ii) Inheritance, support and guardianship—inheritance being a right, support a duty and an expectation as good as a right in the customary world, and guardianship but a corollary. Among the European section to the foregoing functions is to be added that of defence and offence, that function dwindling soonest among the Romans and the Greeks and continuing longest amongst the Celtic and Gothonic nations. This being a political function the need for its discharge arises only where a central state organization is not developed. The other functions are religious and social. It need hardly be stated that the religious and quasi-religious function must wane with the development of non-tribal religion of a moral rather than a ritualistic import or with the decay of belief in old or new religion. That it has arisen out of certain economic conditions or is conditioned by them has hardly ever been asserted. The social functions of kinship and the type of the familial organization have been, on the other hand, thought by Engels and his followers definitely to be conditioned by economic factors.

We will not enter into an elaborate argument covering the whole field of social organization and economic life but confine our observations to one or two very salient features which have been dealt with in their proper contexts but without the background of this theory. One of the features connected with the concept of property as a corpus held by individuals in the perpetual interests of the corporate body called the family⁵² is that, in the different societies which carried on the primitive Indo-European culture in their respective surroundings, at some stage the concept of self-acquired property arose. The rise of this concept of self-acquired property is *a priori* intimately connected with the mode of economic production and the species of property current and available to a society. Even beyond the economic factor or rather underlying the economic phenomena of self-acquired property we may discern a psychological element. That psychological element leads one to expect that, other things being more or less equal, when it is possible clearly to demarcate the product of an individual's effort, the product or at

least a major portion of it may be credited to the individual as property acquired by him through his individual effort, skill or ability. As a matter of fact we know that Locke's famous fruits-of-labour theory of private property exploits this psychological element. We know from Indo-Aryan and Greek social history narrated in the appropriate chapters that the concept of self-acquired property arose in both societies some centuries after avenues for acquiring property through individual effort became available and were exploited. Land, though still the main source of economic production, had ceased to be the only one. Not only personal labour of menial variety but skills of various kinds including that required in trading and commercial pursuits and service through learning, instruction and other ways had come to have economic value. The time-lag and its variations in the two societies between the existence of sources of self-acquired property and its social and legal recognition are very important, and cannot be explained in any rational manner. What is significant for our present discussion is the differential treatment the devolution of self-acquired property received in the two societies and its relation to other factors, social or economic. Let us get it clear that we cannot think of any economic factor that can explain why in the sixth century B.C. the Greeks looked upon self-acquired property as the private property of the earner and why the Indo-Aryans about the same time, or at most a century later, decreed that even self-acquired property was not necessarily the private possession of the earner, and that other members forming the corporate group of the family might have some stake in it. It is noteworthy that among both, the principal type of self-acquired property among the upper classes was formed by what have been known in Hindu law as 'gains of learning'. Identity of source of self-acquired property did not condition its devolution. The ideological and emotional climate created by the composition and the concept of the family appears to have been the sole deciding factor in the differential treatment of self-acquired property in the Indo-Aryan and Greek societies.

In Latin culture the concept of self-acquired property took a much longer time to arise owing to the greater ideological and organizational differences. The patriarchal nature of familial organization is hostile to the concept of self-acquired

property. The *paterfamilias* is so prepotent that he need not seek the lean support of the concept to enable him to dispose of his or any other property. It would undermine his authority if his wards were allowed to have property of their own in any form whatever. Nor was it necessary in the Roman society from about the fourth century B.C. when testamentary disposition of property began to be looked upon as more or less normal. The concept of self-acquired property however had its use when the great paid or hired legions became a necessity for Imperial Rome. Here again we see that the new feature in the concept of property and its treatment in devolution was conditioned more by ideological and social conditions than by purely economic factors.

Still more convincing proof of our contention that familial organization and law of inheritance are attuned more to ideas and beliefs of a non-economic nature than to economic factors is afforded by their history in Indo-Aryan culture presented above. Between the fifth century B.C. and the twelfth century A.D. there had been no significant change in the economic field in India. The familial organization, as we have tried to establish through some literary evidence, was evidently changing in some of the areas encompassed by Indo-Aryan culture but not in others. Two law-givers partially working upon this difference and partially motivated by different ideas gave two laws of inheritance and succession in the two regions, which could hardly be distinguished from each other in the matter of economic production, distribution or organization. We know that Vijnanesvara's law was framed by an individualist idealist and as such was not followed in practice by most classes, at least in respect of some of its major provisions. Jimutavahana's law, which kept close to the religio-social sentiments of the people of the region, seems to have evoked abundant following and achieved what appears to have been its chief ideological purpose, the stabilization of the joint family. Thus is the primacy of beliefs and ideas over economic factors substantiated by the social history of the Indo-Aryans.

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50. Scullard, p. 11. 51. Halliday, p. 167. 52. For Greek concept and its fiscal significance see Zimmern, p. 288; for Old German concept see Huebner, pp. 694-5.

APPENDIX

KINSHIP-TERMS

ABBREVIATIONS OR KEY

A. Balto-Slavic

1. Baltic

O.Pr.	Old Prussian	Lith.	Lithuanian
Let.	Lettic		

2. Slavonic

O.Sl.	Old Slavonic	R.	Russian
Bl.	Bulgarian	Ser.	Serbian
Cz.	Czech	Slv.	Slovakian
Po.	Polish		

B. Aryan Languages

1. Indo-Aryan

A.	Assami	Pa.	Panjabi
B.	Bengali	Pkt.	Prakrit
Bi.	Bihari	R.	Rajasthani
G.	Gujarati	S.	Sindhi
H.	Hindi	Skt.	Sanskrit
M.	Marathi	U.	Uriya
N.	Nepali		

2. Iranian

Av.	Avesta	N.P.	New Persian
O.P.	Old Persian		

C. Greek

O.Gr.	Ancient Greek	M.Gr.	Modern Greek
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D. Italic

1. L. Latin

2. Romance Languages

Fr.	French	P.	Portuguese
I.	Italian	Sp.	Spanish

E. Celtic

- | | | | | |
|--------------|-----------|------|---------|--|
| 1. Goidelic | | | | |
| O. Ir. | Old Irish | Ir. | Irish | |
| 2. Brythonic | | | | |
| W. | Welsh | Cor. | Cornish | |

F. Gothonic or Teutonic

- | | | | | |
|-----------------|-----------------|------|----------------------|--|
| 1. Scandinavian | | | | |
| O.N. | Old Norse | D.N. | Danish and Norwegian | |
| Ic. | Icelandic | Sw. | Swedish | |
| 2. Germanic | | | | |
| O.H.G. | Old High German | Ags. | Anglo-Saxon | |
| 3. Gothic | Got. | | | |

N.B.: Philologists' special symbols for various pronunciational nuances had reluctantly to be omitted. Figure 1 over a term indicates that it is taken from *Vergleichendes Wörterbuch der Indogermanischen Sprachen* (2 vols.; 1927-30) by A. Walde and J. Pokorny, and A. Walde's *Lateinisches Etymologisches Wörterbuch*; figure 2, that it is taken from *Prehistoric Antiquities of the Aryan Peoples* by Schrader and Jevons (1890); figure 3, that it is taken from A. M. Hocart's paper 'The Indo-European Kinship System' in the *Ceylon Journal of Science*, vol. I, pt. 4 (1928). Other references are given in the list on pp. 239-40. Unmarked terms are taken from *Systems of Consanguinity and Affinity of the Human Family* by Lewis H. Morgan (1870), excepting those in Indian languages.*

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* The list was made ready, from the sources mentioned, before 1945 when I addressed the Anthropological Society of Bombay on 'Indo-European Kinship Terminology'. C. D. Buck's *Dictionary of Synonyms in Indo-European Languages* provides many of the terms conveniently in one place and in English renderings.

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Uriya: Dr I. P. Desai's collection.

PRIMARIES

HUSBAND

A: Lith. – *pats*, *patis*.¹ Bl. – *muzh*; Po. – *maz*, *maztonek*; R. – *mush*; Slv. – *manzel*.

B: Skt. – *pati*, *bhartr*, *dhava*, *aryaputra*; Pkt. – *pai*, *bhatta*, *dhava*, *goho*; H. – *pati*, *bhatar*, *dulaha*, *dhani*, *gharwala*, *khawind*, *khasam*, *malak*; B. – *pati*, *bhatar*, *bar*, *sami*, *soami*; U. – *gerasta*; M. – *pati*, *bhratar*, *yajaman*, *navara*, *gharkari*, *ghov*, *dadala*; G. – *dhani*, *pati*, *vara*; S. – *pati*, *pai*, *bhartar*, *murd*; Pa. – *pai*, *gharwala*, *jabru*, *khasam*, *malak*; Av. – *paiti*;¹ Pe. – *shohar*.

C: O. Gr. – *posis*, *aner*.

D: L. – *vir*, *maritus*; Fr. – *mari*; I. – *marito*; P. – *marido*; Sp. – *marido*.

E: I. – *arh*, *mar*; W. – *gwr* (pronounced *goor*); Bret. – *ozech*.¹

F: Ic. - *madr*; D.N. - *husbond, mand, germal*; Sw. - *man*. O.H.G. - *gimahalo*;¹ G. - *mann, gatte, gemahl*; Ags. - *huv, wir, bonda*; Got. - *brup-faps*.¹

WIFE

- A: O.Pr. - *genna*,¹ *genno*;¹ O.Sl. - *zena*;¹ Bl. - *zhena*; Po. - *zona*; R. - *shena*; Slv. - *manzelka*.
 B: Skt. - *patni, jaya, jani, bharya, kalatra, grhini, kutumbini, stri*;² Pkt. - *jaa, joia, kudubini, gharini*; H. - *patni, bahu, dulahin, stri, gharwali, lugai, mehraru, malkin, joi*; B. - *patni, bau*; U. - *mai-po*; M. - *patni, bayako, bail, gharkarin*; G. - *patni, vahu, stri, bairi*,² *dhaniyan*; S. - *joi, zal*; Pa. - *truvn, tunis, noo, vohti, vhoti, aurat*; Av. - *gena*,¹ *jani, ghena*,² *stri*.²
 C: O.Gr. - *gune*,¹ *potnia*,¹ *bana*.²
 D: L. - *uxor, marita*; Fr. - *epouse, femme*; D. - *moglie, consorti*; P. - *epose, mujir, consortie*; Sp. - *esposa, mulher*.
 E: O.Ir. - *ben*;¹ O.W. - *ben*;¹ Cor. - *ben* (?).¹
 F: O.N. - *kona*;¹ I.C. - *kona*; D.N. - *hustrue, viv, kone*; Sw. - *hustru*. O.H.G. - *quena*;¹ M.H.G. - *quene*,¹ *kone*;¹ G. - *weib, frau, gattin, gemahlin*; Ags. - *cwene*,¹ *wif*; Got. - *qino*.¹

FATHER

- A: O.Pr. - *taws*;¹ Let. - *tevs*,¹ *teta*;¹ Lith. - *tevas*,¹ *tetis*,¹ *tete*;¹ O.Sl. - *otici*;¹ O.Bl. - *otici*; Bl. - *otets*; Cz. - *tata*;¹ Po. - *ojciec, rodziciel*; R. - *tata*,¹ *otez*; Slv. - *otec*.
 B: Skt. - *pitr, janaka, amba, tata, avuka* (in dramatic dialogues); Pkt. - *piya, piu, janao, avaa, bappa*; H. - *pita, bap, baba*; N. - *ba, babu, bap*; Bi. - *baba, babu*; A. - *bopai, deuta, bap*; B. - *pita, bap, baba*; U. - *bappo, bapa*; M. - *bap, appa, tat, taty, baba, vadil*; G. - *bap, bapa, bapu*; S. - *pita, piu, babo*; R. - *bap, bapu, ba*; Pa. - *peo, piu, bap, bapu*; Av. - *pitar*.¹
 C: O.Gr. - *pater*,¹ *tetta*,¹ *atta*,¹ *apfa*,¹ *pappa*.¹
 D: L. - *pater*,¹ *tata*,¹ *atta*,¹ *papa*,¹ *pappa*,¹ Fr. - *pere*; I. - *padre*; P. - *pae*; Sp. - *padre*.
 E: O.Ir. - *athir*;¹ Ir. - *ahair*; W. - *tad, nhad*; Cor. - *tas*.⁴

F: O.N. – *atte*;¹ D.N. – *fader*; Sw. – *fader*; O.H.G. – *fater*,¹ *toto*,² *atto*;¹ N.H.G. – *tate*,¹ *teite*,¹ *deite*;¹ G. – *vater*; Ags. – *faeder*; Got. – *fadar*,¹ *atta*.¹

MOTHER

- A: O.Pr. – *muti*,¹ *mothe*;¹ Let. – *mama*,¹ *meme*,¹ *mate*;¹ Lith. – *mama*,¹ *motyna*,¹ *moma*; O.Sl. – *mati*;² Bl. – *maika*; Po. – *matka*, *rodzicielka*; R. – *matj*, *mama*;¹ Slv. – *matka*.
- B: Skt. – *matr*, *nana*, *janani*, *ambika*, *amba*, *ambaya*, *atta*, *akka*; Pkt. – *mau*, *janani*, *attia*, *amma*, *ammadi*; H. – *ma*, *jia*, *ama*, *amma*, *bua*; N. – *ama*, *ma*; Bi. – *amma*, *mai*, *ma*; A. – *ai*, *boti*; B. – *mata*, *ma*; U. – *ma*; M. – *mai*, *ama*, *amma*, *avas*, *avay*, *ais*, *ai*; G. – *ma*, *amma*, *ai*; S. – *ma*, *ama*, *amma*, *ai*; R. – *ma*, *dhay*, *bai*, *maidi*; Pa. – *ma*, *jhai*, *mai*, *amma*; Av. – *matar*;¹ N.P. – *mam*,¹ *mama*,¹ *mami*,¹ *nana*.¹
- C: O.Gr. – *meter*,¹ *mater*,¹ *ma*,¹ *maia*,¹ *mamme*,¹ *mammia*,¹ *ammas*,¹ *ammia*.¹
- D: L. – *maler*,¹ *mamma*;¹ Fr. – *mere*; I. – *madre*; P. – *moe*, *ama*;² Sp. – *madre*, *ama*.²
- E: O.Ir. – *mathir*;¹ Ir. – *vahair*; W. – *mam*,¹ *marn*.
- F: D.N. – *moder*; Sw. – *moder*; O.H.G. – *muoter*,¹ *mamme*,¹ *amma*;¹ G. – *moder*; Ags. – *modor*.

SON

- A: Let. – *dels*;⁵ Lith. – *sunus*;¹ O.Sl. – *synus*; Bl. – *sin*; Po. – *syn*; R. – *sin*, *syn*; Slv. – *syn*.
- B: Skt. – *sunu*, *putra*, *suta*, *tata*, *jata*, *napat*, *tanaya*; Pkt. – *attaya*, *putta*; H. – *put*, *beta*, *laraka*, *bhayya*, *bacca*; Bi. – *beta*; A. – *po*, *putek*; B. – *putra*, *chele*; U. – *pua*; M. – *putra*, *put*, *mulaga*, *ceda*, *lek*, *jhil*; G. – *beto*, *chaiya*; S. – *put*, *putta*, *kiko*; R. – *beta*, *dikra*, *chora*, *kuka*, *giga*; Pa. – *puttar*, *put*, *putra*; Av. – *hunu*,² *puthra*.²
- C: O.Gr. – *huios*,¹ *huins*.¹
- D: L. – *filius*; Fr. – *filis*; I. – *figlio*; P. – *filho*; Sp. – *hijo*.
- E: Ir. – *vac*; W. – *mab*.

F: O.N. – *kundr*,¹ *sunr*, *sonr*;⁶ D.N. – *son*; Sw. – *son*;
O.H.G. – *sunu*;¹ G. – *sohn*; Ags. – *sunu*;¹ Got. –
sunus.¹

DAUGHTER

A: O.Pr. – *duckti*;¹ Lith. – *dukte*;¹ O.Sl. – *dusti*;¹ Bl. –
dushtera; Po. – *corka*; R. – *dotch*; Slv. – *dura*.

B: Skt. – *duhitṛ*, *suta*, *dhida*, *tanaya*, *nap̐ti*, *jami*, *nandini*,
putri; Pkt. – *dhuya*, *dhita*, *attaya*, *nataya*, *daria*, *sua*;
H. – *dhiya*, *dhi*, *bacci*, *beti*, *laraki*; Bi. – *ladki*, *beti*,
maiya; A. – *jī*, *jīek*; B. – *meve*, *jhi*, *kanya*; U. – *jhia*;
M. – *mulagi*, *lek*, *cedu*; G. – *putri*, *dikri*, *chori*; S. –
dhia, *kiki*; R. – *beti*, *dikri*, *chori*, *kuki*, *gugi*; Pa. –
dhi; Av. – *dughdhar*,⁷ *dugsdar*;¹ N.P. – *duxtar*.¹

C: O.G. – *thugater*.

D: L. – *filia*; Fr. – *fille*; I. – *figlia*; P. – *filha*; Sp. –
hija.

E: Ir. – *meean*; W. – *merch*.

F: O.N. – *dottir*;¹ D.N. – *datter*; Sw. – *dotter*; O.H.G. –
tochter;¹ G. – *tochter*; Ags. – *dohotor*; Got. – *daughter*.¹

BROTHER

A: O.Pr. – *brote*,¹ *brati*;¹ Lith. – *broterelis*,² *brolis*; O.Sl.
bratu,¹ *bratru*;² Bl. – *brat*; Po. – *brat*; R. – *brat*;
Slv. – *bratr*.

B: Skt. – *bhratr*, *sahodara*; Pkt. – *bhaya*, *bhau*, *sahoaro*;
H. – *bhai*; N. – *bhai*, *daju*, *daji*; Bi. – *bhai*, *bhaiyya*;
A. – *bhai*; B. – *dada*, *bhai*; U. – *bhai*; M. – *bhau*;
G. – *bhai*; S. – *bhao*, *bhau*; R. – *bhai*; Pa. – *bhai*,
bhra, *bhira*; Av. – *bratar*;¹ O.P. – *bratar*;¹ N.P. –
bradar.

C: O.Gr. – *phreter*,¹ *phrater*,³ *adelphos*.³

D: L. – *frater*;¹ Fr. – *frere*; I. – *fratello*; P. – *irmano*;
Sp. – *hermano*.

E: O. Ir. – *brathir*;¹ Ir. – *yrihair*; W. – *brawd*.¹

F: D.N. – *broder*; Sw. – *broder*; – O.H.G. – *bruoder*;¹
G. – *bruder*; Ags. – *brodor*; Got. – *bropar*.¹

SISTER

A: Lith. – *sesu*; *suse*; O.Sl. – *sestra*;¹ Bl. – *sestra*; Po. –
siostra; R. – *sestra*; Slv. – *sestra*.

- B : Skt. - *svasr*, *bhagini*, *jami* ; Pkt. - *sasa*, *susa*, *jami*, *bahini*, *bhaini* ; H. - *bahin*, *bahan*, *bahen* ; N. - *didi*, *baini* ; Bi. - *didi*, *babhni* ; A. - *bahni* ; B. - *bhagni*, *bain*, *bon* ; U. - *bhouni*, *bhauni*, *didi* ; M. - *bahina* ; G. - *bahen*, *ben* ; S. - *bhen*, *bhenu* ; R. - *ben*, *bhan*, *bai*, *bahn* ; Pa. - *bhen*, *bhain* ; Av. - *xvanhar* ; N.P. - *hahar*.
- C : O. Gr. - *gnote*,¹ *eor*,² *adelphe*, *heor*.⁸
- D : L. - *soror* ; Fr. - *soeur* ; I. - *sorella* ; P. - *irman* ; Sp. - *hormana*.
- E : O. Ir. - *siur* ;¹ Ir. - *yriffur* ; Highland Scotch - *phiuthar* ; W. - *chwaer*.¹
- F : D.N. - *soster* ; Sw. - *syster* ; O.H.G. - *swester* ;¹ G. - *schwester* ; Ags. - *sweostor*,¹ *suster* ;¹ Got. - *svistar*.²

LINEAL ASCENDANTS

GRANDFATHER

- A : O.Pr. - *thetis* ;¹ Lith. - *senntis* ; O.Sl. - *dedu* ;¹ Bl. - *deda*, *dyled* ; Po. - *dziad* ; R. - *djed* ; Slv. - *ded*.
- B : Skt. - *pitamaha*, *tatamaha*, *pitrpita*, *aryaka*, *matamaha*,^{*} *aryaka* ; Pkt. - *pimaha*, *ajjaa*, *ajja*, *vappa*, *mayamaha*, *ajjaya*, *ajja* ; H. - *dada*, *baba*, *babba*, *aja*, *nana*, *nanna* ; N. - *baje*, *bajya*, *jiba* ; Bi. - *baba*, *dada*, *nana* ; A. - *kaka*, *kaka deuta* ; B. - *dada*, *dada*, *aja* ; U. - *dada*, *aja* ; M. - *aja*, *nana* ; G. - *dada*, *jijo*, *nana*, *ajo* ; S. - *dado*, *babo*, *nano* ; R. - *dada*, *nana* ; Pa. - *dada*, *dadda*, *baba*, *nana* ; Av. - *nyaka* ;⁹ O.P. - *nyaka* ;² N.P. - *niya* (?)².
- C : O.Gr. - *pappos*, *metros*,¹ *matros*.¹
- D : L. - *avus* ; Fr. - *aieul*, *grandpere* ; I. - *avo* ; P. - *avo* ; Sp. - *abuelo*.
- E : Ir. - *han ahair*, *seanathair* or *athair criona* (father's father), *seanmhathair* or *mathaircristona* (mother's father) ;¹⁰ W. - *hendad*, *taid*.¹¹
- F : O.N. - *afi* ;¹ Ic. - *ae*,³ *afe* ;³ D.N. - *bedste fader* ; Sw. - *farfar*, *farfader* ; O.H.G. - *ano* ;¹ M.H.G. - *enel* ;¹ G. - *grossvater* ; Ags. - *ealda faeder*.

* Among these relatives terms for those up to great-great-grandfather in this group of languages are given for mother's father and others through females wherever available. Duplicates thus are terms for the same relatives through the female.

GRANDMOTHER

- A : O.Pr. - *ane* (?) ;¹ Lith. - *avia*,¹ *senute* ; O.Sl. - *baba* ;² Bl. - *baba* ; Po. - *babka*, *babunia* ; R. - *babka* ; Slv. - *baba*.
- B : Skt. - *pitamahi*, *matamahi*, *matrka* ; Pkt. - *piamahi*, *ajjia*, *maumahi*, *ajjia* ; H. - *dadi*, *aji*, *aiya*, *nani* ; N. - *barama* ; Bi. - *babi*, *dadi*, *nani* ; A. - *bari ai*, *aita* ; B. - *dadi*, *didi*, *dadi*, *didi*, *aji*, *ai* ; U. - *gosoma*, *ai* ; M. - *aji*, *nani* ; G. - *dadi*, *ai*, *nani*, *ai* ; S. - *dadi*, *ama*, *nani* ; R. - *dadi*, *nani* ; Pa. - *dadi*, *nani* ; Av. - *nyaka*.¹²
- C : O.Gr. - *tethe*,¹ *maia*.
- D : L. - *avia* ; Fr. - *aieule*, *grandmere* ; I. - *iva* ; P. - *avo* ; Sp. - *abuela*.
- E : Ir. - *han vahair* ; W. - *nain*,¹ *henfam*.
- F : O.N. - *amma* ; O.H.G. - *ana* ;¹³ M.H.G. - *ane* ;¹³ G. - *grossmutter* ; Ags. - *eald modor* ; Got. - *awo*.

GREAT-GRANDFATHER

- A : Bl. - *predyed* ; Po. - *pradziad* ; R. - *pradjed* ; Slv. - *praded*.
- B : Skt. - *prapitamaha*, *pratataamaha*, *pramatamaha* ; Pkt. - *pajjaya*, *papiamaha*, *vappa*, *pajjaa* ; H. - *pardada*, *parbaba*, *parpaja*, *parnana* ; N. - *jiju*, *jijyu* ; Bi. - *pardada*, *parnana* ; A. - *ajukaka* ; B. - *prapitamaha*, *pomasai*, *parpaja*, *parnana* ; U. - *thakurbaba*, *pana-gosopa* ; M. - *panja* ; G. - *dada*, *paddada*, *vadava*, *parnana* ; S. - *pardado*, *vadodado*, *parnana*, *vadonano* ; R. - *paddada*, *padnana* ; Pa. - *pardada*, *parnana*.
- C : O.Gr. - *propappos*.
- D : L. - *proavus* ; F. - *bisaieul* ; I. - *bisavo* ; P. - *bisavo* ; Sp. - *bisabuelo*.
- E : Ir. - *ahair mohan ahar* ; W. - *ngorhendam*, *gorhendam*.
- F : O.N. - *ai*,¹ *ae* ;² D.N. - *olde fader* ; Sw. - *farfarsfar* ; O.H.G. - *atto* (?) ;¹ M.H.G. - *ane*,¹ *an*,¹ *ene* ;¹ G. - *urgrossvater* ; Ags. - *thrida faeder*.¹⁴

GREAT-GREAT-GRANDFATHER

- A : Bl. - *prepredyed* ; Po. - *prapradziadek* ; R. - *prapradjoe* ; Slv. - *prapraded*.

- B: Skt. – *vrddhaprapitamaha*, *praprapitamaha*, *vrddhapramatamaha*; H. – *sardada*, *lakardada*, *nagardada*, *vrddhapardada*, *sarnana*, *lakarnana*, *vrddhaparnana*; B. – *lakardada*, *chhaddada*; U. – *anaaja*; M. – *nipanaja*; G. – *saddada*, *dada*, *purvaj*, *sarnana*; S. – *tardado*, *tarnano*; R. – *sardada*, *nagardada*; Pa. – *lakardada*, *jhadadda* (?); O.P. – *apanayaka*.¹⁵
- C: O.Gr. – *epipappos*.
- D: L. – *abavus*; Fr. – *trisaieul*; P. – *tataravo*; Sp. – *tarbuelo*.
- E: Ir. – *shan ahair mahar*; W. – *ngoror hendad*.
- F: D.N. – *tipolde fader*; Sw. – *farparsfarfar*; G. – *ururgrossvater*; Ags. – *feorpa faeder*.

GREAT-GREAT-GREAT-GRANDFATHER

- B: Skt. – *ativrddhaprapitamaha*, *ativrddhapramatamaha*; M. – *khaparapanaja*; R. – *sagardada*; Pa. – *nagardada*, *sakaddada* (?).
- C: O.Gr. – *dispappos*; M.Gr. – *dispappos*.
- D: L. – *atavus*.
- F: G. – *ururur grossvater*; Ags. – *fifta faeder*.

GREAT-GREAT-GREAT-GREAT-GRANDFATHER

- B: Skt. – *atyarya vrddhaprapitamaha*.¹⁶
- C: O.Gr. – *tripappos*; M.Gr. – *tripappos*.
- D: L. – *tritavus*.
- F: G. – *urururur grossvater*; Ags. – *sixta faeder*.

LINEAL DESCENDANTS

GRANDSON

- A: Lith. – *nepotis*,¹ *nepatis* (?),¹ *anukas*,² *sunaus sunu*; O.Sl. – *vnuku*; Bl. – *vnuk*, *vnook*; Po. – *wnuk*; R. – *vnuk*; Slv. – *wnuk*.
- B: Skt. – *napat*, *naptr*, *pautra*, *dauhitra**; Pkt. – *nattu*, *potta*, *dohitta**; H. – *nati*, *pota*, *dohita**; N. – *nati*; Bi. – *pota*, *nati*; A. – *nati*; B. – *nati*, *pautra*; U. – *nati*;

* Daughter's son.

M. — *natu*; G. — *potro, poitar, doitar**, *bhano**; S. — *poto, dohito**; R. — *pota, dohita**; Pa. — *potra, pota, dohtra**, *dohtha**; Av. — *napat*,¹ *naptr*,¹ O.P. — *napat*,¹ P. — *navada*.

C: O.Gr. — *eggonos, huionos, thugatridous**.

D: L. — *nepos*,¹ Fr. — *petit fils*; I. — *nipote*; P. — *neto*; Sp. — *nieto*.

E: O.Ir. — (*h*)*aue, ua*,¹⁷ Ir. — *mac mo vicor mac mhic* (son's son), *inghean*¹⁸ *mhic* (d.s.); W. — *wyr*; Cor. — *noi*.¹

F: O.N. — *nidr* (?),² D.N. — *barnebarn*; Sw. — *sonson*; O.H.G. — *eninchil*,¹ M.H.G. — *eninchlin*,¹ *enel* (?),¹ *diehter*,¹ *enkel*; Ags. — *nefa, genefa, suna sunu*.¹⁹

GREAT-GRANDSON

A: O.Sl. — *sturu*,² Bl. — *prevnuk, prevnook*; Po. — *prawnuk*; R. — *pravnik*; Slv. — *prawnuk*.

B: Skt. — *prapautra, pranaptr, naptr, dauhitrayana†*; Pkt. — *papotta, nattunia*; H. — *parpota, parota, parnati, panti, parnati, pardheuta†*; N. — *panati, palanti*; Bi. — *parpota, parnati*; B. — *poutra*; U. — *ana-nati*; M. — *panatu*; G. — *prapautra, parpautara, pardauhittar*; S. — *parpoto*; R. — *parpota, nagarpota*; Pa. — *parpota, parota*.

C: O.Gr. — *proeggonos*.

D: L. — *pronepos*; Fr. — *arriere petit fils*; I. — *secundo nipote*; P. — *bisneto*; Sp. — *bisnieto*.

E: Ir. — *mac mic mo vic*; W. — *orwyr, goroyr*.

F: D.N. — *barnebarnobarn*; O.H.G. — *fernevo* (?),¹² G. — *urenkel*; Ags. — *thridda sunu*.²⁰

GREAT-GREAT-GRANDSON

A: R. — *prpravnik*.

B: Skt. — *parapratinapta*,²¹ H. — *parparpota, nagarpota, lakarpota, sarpota, sarota, nipanti, chanati, santi*; N. — *khanati*; Bi. — *parparpota, parparnati*; B. — *poutra, powutro*; M. — *nipanatu*; G. — *sarpautar*; S. — *tarpoto*; R. — *sarpota, sagarpota*; Pa. — *lakarpota, nakkarpota, narota, natta*; P. — *nabira*.

C: O.Gr. — *apeggonos*; M.Gr. — *tetartos apogonos*.

* Daughter's son.

† Daughter's son's son.

- D: L. — *abnepos*; I. — *terzo nipote*; P. — *tataraneto*; Sp. — *tercer nieto*.
 E: W. — *ororowy*.
 F: G. — *urgrossenke*; Ags. — *feorpa sunu*.²²

GREAT-GREAT-GREAT-GRANDSON

- A: Po. — *prapraprawnuk*.
 B: M. — *khaparapanatu*; Pa. — *natta*.
 C: O.Gr. — *pemptos apogonos* (?).
 D: L. — *atnepos*; I. — *quarto nipote*; P. — *cuarto neto*; Sp. — *cuarto nieto*.
 E: W. — *crororowy*.
 F: G. — *ururgrossenkel*; Ags. — *fifta sunu*.²³

GREAT-GREAT-GREAT-GREAT-GRANDSON

- C: O.Gr. — *hektos apogonos*; M.Gr. — *triseggonos*.
 D: L. — *trinepos*; I. — *quinto nipote*; P. — *cuinto neto*; Sp. — *cuinto nieto*.
 E: W. — *orororowy*.
 F: G. — *ururururenkel*; Ags. — *sixta sunu*.²⁴

COLLATERALS

FATHER'S BROTHER

- A: O.Pr. — *thewis*,¹ *awis*;¹ Lith. — *dede*,¹ *dedis*,² *dode*; O.Sl. — *stryji*,¹ *stryjci*,² *uj*;¹ Bl. — *chicha*, *strika*; Po. — *stryj*; R. — *djadja*; Slv. — *stryc*.
 B: Skt. — *pitrya*, *tatatulya*, *tatagu*; Pkt. — *piijja*, *pittijja*, *pittiya*; H. — *tau*, *tao*, *pitti*, *caca*, *kaka*; N. — *jetha ba*, *kako*; Bi. — *pitti*, *kaka*, *caca*; A. — *bar bopai*, *khura*; B. — *jjetha*, *khula*, *kaka*; U. — *dada*, *barpo*, *kaka*; M. — *culata*, *kaka*; G. — *ada*, *kaka*; S. — *kako*, *caco*, *babo*, *ado*; R. — *kaka*, *baba*; Pa. — *caca*, *taya*, *tau*; Av. — *tuirya*.¹
 C: O.Gr. — *patros*,¹ *theios*,¹ *nannos*,¹ *nennos*.¹
 D: L. — *patruus*; Fr. — *oncle*; I. — *tio*; P. — *tio carnal*; Sp. — *tio*.
 E: I. — *drihar mahar*, *aintin*;²⁵ W. — *ewythr*,¹ *ewyrth*; Cor. — *euit*.²

F: Ic. — *fodur brodir*; D.N. — *farbroder*; Sw. — *farbroder*, *farbror*; O.H.G. — *fatiro*,¹ *fetiro*,¹ *fatureo*;¹ O.H.G. — *vetter*; G. — *oheim, onkel*; Ags. — *faedera*.¹

FATHER'S SISTER

- A: Lith. — *teta*; O.Sl. — *strynja*,¹ *strina*,² *ujka*,¹ *tetuka*,¹ *lelja* (?);¹ Bl. — *lelya, lyelya*; Cz. — *teta*; Po. — *stryjenka*; R. — *lelja*,¹ *tjotka*; Slv. — *stryna*.
- B: Skt. — *pitrsvasr, pituhsvasr*; Pkt. — *piuchha, pupphiya, pindasia*; H. — *phuphi, phua, bhuwa, bua*; N. — *phupu*; B. — *phuphu, pisi, pusi*; A. — *jethai, pehi*; B. — *pisima*; U. — *pisi*; M. — *ate, atya, phui, mami, kaki*; G. — *phui, phai*; S. — *puphi, dadi, ama*; R. — *bhua, phuphi*; Pa. — *bua, bhuwa, phuphi*; Av. — *tuirya*.
- C: O.Gr. — *patradelphe, theia*,¹ *tethis*,¹ *nanna*,¹ *nenna*,¹ *ninna*,¹ *nanne*.²⁶
- D: L. — *amita*; Fr. — *tante*; I. — *tia*; P. — *tia, tia carnal*; Sp. — *tia*.
- E: Ir. — *driffer mahar*; Gaelic or Highland Scotch — *phinthar mathair*; W. — *modryb*.
- F: D.N. — *faster*; Sw. — *faster*; O.H.G. — *basa*,² M.H.G. — *vade*,¹ G. — *muhme, tante*; Ags. — *fadu*,¹ *fathe*.

MOTHER'S BROTHER

- A: O.Pr. — *awis*; Lith. — *avynas*,¹ *dede*,¹ O.Sl. — *uj*,² *ujka, uji*; Bl. — *vuyka, ooika*; Po. — *wuj*; R. — *djadja*; Slv. — *ujec*.
- B: Skt. — *matula, mama*; Pkt. — *maula, mama, mamaya*; H. — *mama, mamu*; N. — *mama*; Bi. — *mama*; A. — *momai*; B. — *mama*; M. — *mama, mavalala*; G. — *mama, mamo*; S. — *mamo*; R. — *mama*; Pa. — *mama*.
- C: O.Gr. — *metros*,¹ *matros*,¹ *theios*,¹ *nenno*,¹ *nannos*.¹
- D: L. — *avunculus*,¹ Fr. — *oncle*; I. — *tio*; P. — *tio, tio carnal*; Sp. — *tio materno*.
- E: I. — *drihar mo vahar, uncail*,²⁷ W. — *ewyrth*; Cor. — *eui-ter*.²
- F: Ic. — *modurbrodir*; D.N. — *morbroder*; Sw. — *morbroder, morbror*; O.H.G. — *oheim*,¹ *nefo*,² M.H.G. — *neve*,² G. — *oheim, onkel*; Ags. — *eam*.¹

MOTHER'S SISTER

- A: Lith. – *ava* (?),¹ *teta*;¹ O.Sl. – *teta*,² *tetka*,² *ujka*,¹ *tetuka*,¹ *lelja* (?);¹ Bl. – *tetka*; Cz. – *teta*;¹ Po. – *ciotka*; R. – *lelja*,¹ *tjotka*; Slv. – *tetka*.
- B: Skt. – *matrsvasr*, *matuhsvasr*, *atta*; Pkt. – *mauchha*, *ma-
duchhia*, *mausia*; H. – *mausi*; N. – *sani ma*; Bi. – *mausi*; A. – *jethai*, *mahi*; B. – *masima*; U. – *mausi*; M. – *mavasi*; G. – *masi*; S. – *masi*; R. – *masi*, *mahi*, *mavsi*; Pa. – *masi*.
- C: O.Gr. – *theia*,¹ *tethis*,¹ *nanna*,¹ *nenna*,¹ *ninna*.¹
- D: L. – *matertera*;¹ Fr. – *tante*; I. – *tia*; P. – *tia*, *tia
carnal*; Sp. – *tia materna*.
- E: D. – *driffur movahar*; W. – *modryb*.
- F: D.N. – *moster*; Sw. – *moster*; O.H.G. – *muoma*,¹ *muo-
tera*;¹ M.H.G. – *mone*,¹ *moie*;¹ N.H.G. – *muhme*;¹ G. – *muhme*, *tante*; Ags. – *modrige*,¹ *moddrie*, *modrie*.

FATHER'S BROTHER'S SON

- A: Bl. – *bratovche*, *otchichabrat*, *chichersin*; Po. – *stryjeczny-
brat*; R. – *dvoiurodnii brat*.
- B: Skt. – *pitruya putra*, *bhratruya* (?); H. – *cacera bhai*, *pitiawat bhai*; Bi. – *cacera bhai*; A. – *kakai*, *bhai*; B. – *jyethut bhai*, *khultut bhai*; M. – *culat bhau*, *bapul bhau*; G. – *pitrai bhai*, *kakai bhai*; R. – *bhai*, *kaka-bhai*, *babera bhai*; Pa. – *cacera bhra*, *caceda puttara*, *tayedra puttara*; Av. – *tuirys-puthra*.²⁸
- C: O.Gr. – *anepsios*, *kasis* (?).
- D: L. – *frater patruelis*, *patruis filius*; Fr. – *cousin germain*; I. – *cugino*; P. – *primo irmao*; Sp. – *primo hermano*.
- E: Ir. – *mac drihar mahar*; W. – *nghefnder* (pronounced *hevoonder*).
- F: O.N. – *broedrunge*;²⁹ D.N. – *fatter*, *sodskendebern* (?); Sw. – *farbors son*, *sysling*; O.H.G. – *futureo*;³⁰ G. – *vetter*, *geschwisterkind*; Ags. – *swor*,³¹ *geswiria*;¹ Got. – *nithjis*.²

FATHER'S SISTER'S SON

- A: Bl. – *bratovche*, *lelin sin*; Po. – *cioteczny brat*; R. – *dvoiurodnii brat*.

- B: Skt. – *pitrasvasriya*, *pitrsvaseya*; H. – *phupera bhai*, *phu-phunauta*; Bi. – *phuphera bhai*; A. – *kakai, bhai*; B. – *pistuto bhai*; M. – *atebhau, mamebhau*; G. – *phuiyat bhai*; S. – *puphat*; Pa. – *phuper-bhai, phuper bhra, bhuwada laraka*.
- C: O.Gr. – *anepsios, kasis* (?).
- D: L. – *amitinus, amitae filius*; Fr. – *cousin*; I. – *cugino*; P. – *primo irmao*; Sp. – *primo hermano*.
- E: Ir. – *mac driffur mahar*; W. – *nghefneder*.
- F: O.N. – *systling, systkinnasyn*;³² D.N. – *fatter, sodsken debarn*; Sw. – *fasters son, syskonbarn*; O.H.G. – *fatereo*, G. – *vetter, geschwisterkind*; Ags. – *swor, geswiria*;¹ Got. – *nithjis*.²

MOTHER'S BROTHER'S SON

- A: Bl. – *bratouche*; Po. – *wujeczyny brat*; R. – *dvoiuironnyi brat*.
- B: Skt. – *matuleya, matula-putraka*; H. – *mamera bhai, mamajat bhai, mamauta*; Bi. – *mamera bhai*; A. – *kakai, bhai*; B. – *mamato bhai*; M. – *mamebhau, mehuna*; G. – *morat bhai, matrai bhai, molai bhai*; S. – *marot, marota*; Pa. – *numer bhai, maoler bhai, muler bhai, mameda laraka*.
- C: O.Gr. – *anepsios, kasis* (?); M.Gr. – *protos exadelphos*.
- D: L. – *avunculi filius, consobrinus*; F. – *cousin*; I. – *cugino*; P. – *primo irmao*; Sp. – *primo hermano*.
- E: Ir. – *mac drihar movahar*; W. – *nghefneder*.
- F: O.N. – *systkinnasyn*;³³ D.N. – *fatter, sodskendebarn*; Sw. – *morbors son, syskonbarn*; G. – *vetter, geschwisterkind*; Ags. – *swor, geswiria*;¹ Got. – *nithjis*.²

MOTHER'S SISTER'S SON

- A: Bl. – *bratouche, tetun sin, sestrenchr*; Po. – *cioteczny brat*; R. – *dvoiuironnyi brat*.
- B: Skt. – *matrsvaseya, matrsvasriya*; Pkt. – *maduccha putta*; H. – *mauserabhahi, mausiauta*; N. – *mused bhai*; Bi. – *mausera bhai*; A. – *kakai, bhai*; B. – *mastuto bhai*; M. – *mavasabhau*; G. – *masiyai bhai*; S. – *masat, masada*; Pa. – *masera bhai, masat bhai, masida laraka*.
- C: O.Gr. – *anepsios, kasis* (?).

- D: L. – *materterae filius, consobrinus*; Fr. – *cousin*; I. – *cugino*; P. – *primo irmao*; Sp. – *primo hermano*.
 E: Ir. – *mac driffur movahar*; W. – *nghefneder*.
 F: O.N. – *systrung*;³⁴ D.N. – *fatter, sodskendebarn*; Sw. – *mosters son, syskonbarn*; G. – *vetter, geschwisterkind*; Ags. – *modiran sunu, swor, geswiria*;¹ Got. – *nithjis*.²

BROTHER'S SON

- A: Lith. – *brotuszis, nepotis*; O.Sl. – *netiji* (niece);¹ Bl. – *bratanets, bratovchad*; Cz. – *neti* (niece);¹ Po. – *bratanec, synowiec, siostrzeniec* (?); R. – *pljemiannik*; Slv. – *bratanec, sestrenec* (?).
 B: Skt. – *bhratrja, bhratriya, bhratreya, bhratruya*; Pkt. – *bhattijja*; H. – *bhatija, bhatij*; N. – *bhatijo*; Bi. – *bhatij, bhatija*; A. – *bhatija*; B. – *bhaipo*; U. – *puttura*; M. – *putanya, bhaca*; G. – *bhatrijo*; S. – *bhatija*; R. – *bhatija*; Pa. – *bhatija, bhatrija*; Av. – *bratruya*;³⁵ N.P. – *poosari bradar*.
 C: O.Gr. – *adelphidous*.
 D: L. – *fratrueis*,¹ *nepos*; Fr. – *neveu*; I. – *nipote*; P. – *sobrinho*; Sp. – *sobrinno*.
 E: Ir. – *mac mo drihar*; W. – *nai*; Breton – *ni*.¹
 F: O.N. – *nefe*;¹ D.N. – *broderson*; Sw. – *brorson*; O.H. G. – *nevo*;¹ M.H.G. – *neve*;² G. – *nefe*; Ags. – *nefa*.¹

SISTER'S SON

- A: Lith. – *saserenas*,¹ *nepotis*;³ O.Sl. – *sestrinu*,³⁶ *netiji* (niece);¹ Bl. – *sestrinets, sestrenik*; Po. – *siostrzeniec*; R. – *pljemiannik*; Slv. – *sestrinec, sestrenec*.
 B: Skt. – *syasriya, bhagineya, bhaginiya, jameya*; Pkt. – *jamea, bhainisua, bhainejja, bhainea*; H. – *bhanja, bahenaut, bhaine*; B. – *bhagne, bonpo*; U. – *bhonja, bhagna*; M. – *bhaca*; G. – *bhanej, bhano*; S. – *bhanejo*; R. – *bhanej, bhanja*; Pa. – *bhanevan, bhanja*.
 C: O.G. – *anepsios*,³ *adelphidous*.
 D: L. – *sororinus* (?), *sobrinus* (?), *sororis filius, nepos*;³⁷ F. – *neveu*; I. – *nipote*; P. – *sobrinho*; Sp. – *sobrinno*.
 E: O.Ir. – *niae*;¹ *nia*;³ Ir. – *mac mo driffur*; W. – *nei*,¹ *nai*;¹ Breton – *ni*.¹

F: O.N. - *nefe*,¹ *nipt* (sister's daughter);¹ D.N. - *soster-son*; Sw. - *systerson*; O.H.G. - *nevo*;¹ M.H.G. - *neve*;² G. - *neffe*; Ags. - *geswiria*,¹ *nefa*.¹

AFFINES

HUSBAND'S FATHER

- A: Lith. - *szeszuras*; O.Sl. - *zeti*,¹ *svekru*; Bl. - *svekr*, *svekur*; P. - *swicker*; R. - *sveker*; Slv. - *swocker*.
 B: Skt. - *svasura*; H. - *sasur*; N. - *sasuro*; Bi. - *sasur*; A. - *sahur*, *hohur*; B. - *sasur*; U. - *sasura*; M. - *sasara*, *mamanji*, *mava*; G. - *sasara*; S. - *sahro*, *sauro*; R. - *sasura*, *susra*, *sohra*, *hohra*; Pa. - *sauhra*, *saura*; Av. - *xvasura*.³⁸
 C: O.Gr. - *hekuros*,¹ *pentheros*.¹
 D: L. - *socer*;¹ Fr. - *beau-pere*; I. - *suecero*; P. - *sogro*; Sp. - *suegro*.
 E: Ir. - *ahair mo cheli*; W. - *tad fy ngwr*; Corn. - *hveger*.²
 F: D.N. - *sviger fader*; Sw. - *svarfar*; O.H.G. - *swehur*; G. - *schwieger vater*, *schwaher*; Ags. - *sweor*.¹

HUSBAND'S MOTHER

- A: Lith. - *anyta*; O.Sl. - *svekry*,³⁹ Bl. - *svekurva*; Po. - *swickra*; R. - *svekror*; Slv. - *swokra*.
 B: Skt. - *svasru*, *sasrudhi*, *atta*; Pkt. - *sasu*, *sassu*, *atta*; H. - *sas*; N. - *sasu*; Bi. - *sas*; A. - *sahu*, *hohu*; B. - *sasuli*; U. - *sasu*; M. - *sasu*, *mami*, *atoji*; G. - *sasu*; S. - *sas*, *sasu*; R. - *sasu*, *sau*, *hahu*, *hau*; Pa. - *sas*, *sass*.
 C: O.Gr. - *hekura*,¹ *penthera*.
 D: L. - *socrus*;¹ Fr. - *belle mere*; I. - *suocera*; P. - *sogra*; Sp. - *suegra*.
 E: Ir. - *mahair mo cheli*; W. - *mam fy ngurr*, *chwegr*;¹ Corn. - *hvegeren*.¹
 F: O.N. - *svaera*; D.N. - *sviger moder*; Sw. - *svarmor*; G. - *schwieger mutter*; O.H.G. - *swigar*;⁴⁰ G. - *schwieger mutter*; Ags. - *sweger*; Got. - *swaihro*.

WIFE'S FATHER

- A: Lith. - *oszwis*; O.Sl. - *zeti*;¹ Bl. - *test*, *tust*; Po. - *tesc*; R. - *tjest*; Slv. - *tehan*.

- B: Skt. and others:—The same as those for 'husband's father'.
- C: O.Gr. — *pentheros, kedestes*.
- D: L. and others:—The same as those for 'husband's father'.
- E: Ir. — *ahair mo cheli*; W. — *tad fy ngwraij*; Corn. — *hveger*.²
- F: D.N. and others:—The same as those for 'husband's father'.

WIFE'S MOTHER

- A: Lith. — *oszwe*; O.Sl. — *svekry*;¹ Bl. — *tushta*; Po. — *tesciowa*; R. — *tjestcha*; Slv. — *tehyne*.
- B: Skt. and others:—The same as those for 'husband's mother'.
- C: O.Gr. — *penthera*.
- D: L. and others:—The same as those for 'husband's mother'.
- E: Ir. — *mahair mo cheli*; W. — *marn fy ngwraig, chwegr*; Corn. — *hwigeren*.²
- F: D.N. and others:—The same as those for 'husband's mother'.

SON'S WIFE

- A: Let. — *vedekle*; Lith. — *marti*; O.Sl. — *snucha*; Bl. — *snuha*; Po. — *ziec*; R. — *snokha, nevestka*; Slv. — *nevesta*.
- B: Skt. — *snusa, vadhu, jami*; Pkt. — *nusa, noha, sonha, puttavadhu*; H. — *bahu, patohu, patoh, dulahen*; N. — *buwari, buhari*; Bi. — *patohu, bahu*; A. — *bovari*; B. — *putravadhu, baihari, bauma*; U. — *bou*; M. — *suna*; G. — *vahu*; S. — *noha, nunhan*; R. — *bahu, binni, buwari*; Pa. — *nuh, nu*; N.P. — *sunar*.²
- C: O.Gr. — *nríos*.
- D: L. — *nurus*; Fr. — *bru*; I. — *figliastra*; P. — *nora*; Sp. — *nuera*.
- E: Ir. — *ban mo vic*; W. — *gwawad*; ynnghy fraith; Cor. — *guhít*.⁴¹
- F: O.N. — *snor*; D.N. — *svigerdotter*; Sw. — *sonhustru*; O. H.G. — *snur*; G. — *schwiegertochter, schnur*; Ags. — *snor, snru*.

DAUGHTER'S HUSBAND

- A: Let. - *znuots*;¹ Lith. - *zentas*; O.Sl. - *zeti*;² Bl. - *zet*; Po. - *ziec*; R. - *ziatj*; Slv. - *zet*.
 B: Skt. - *jamatr, jaspatri, vivodhr, vitpati*; Pkt. - *jamau, jamauya*; H. - *jamai, damad, dulaha*; N. - *juvai*; Bi. - *damada, jamay*; A. - *jovai*; B. - *jamai*; U. - *joi*; M. - *javai*; G. - *jamai*; S. - *nathi*; R. - *javai, jamai*; Pa. - *javai, jvai*; Av. - *zamatar*.⁴²
 C: O.Gr. - *gambros*.
 D: L. - *gener*; Fr. - *gendre, beau-fils*; I. - *genero*; P. - *genro*; Sp. - *verno*.
 E: Ir. - *chliavain, cliamhan*;⁴³ W. - *mabnnghy fraith*.
 F: D.N. - *svigerson*; Sw. - *mag*; O.H.G. - *eidam, eidum, eidem*;⁴⁴ G. - *eidam, tochtermann, schwieger sohn*; Ags. - *athum*.⁴⁵

HUSBAND'S BROTHER

- A: Let. - *dieveris*;¹ Lith. - *dieveris*; O.Sl. - *deveru*;¹ Bl. - *dever*; Po. - *szwagier*; R. - *dever*; Slv. - *swat, swagor*.
 B: Skt. - *svasurya, devr*; Pkt. - *deyara, diyara*; H. - *jeth, dewar*; N. - *jethaju, devar*; Bi. - *jetha, bhaisur, dewar*; A. - *jethal, jetha, deor*; B. - *bhasur, deor*; U. - *derasura, diara*; M. - *dira, bhaoji*; G. - *jeth, diyar*; S. - *der*; R. - *jeth, dewar*; Pa. - *jetha, devar*.
 C: O.Gr. - *daer*.
 D: L. - *levir*; Fr. - *beau frere*; I. - *cognato*; P. - *cunhado*; Sp. - *cunado*.
 E: Ir. - *drihair mo cheli*; W. - *brawd ynnghy fraith*.
 F: D.N. - *svoger*; Sw. - *svager*; O.H.G. - *zeihhur*;¹ G. - *schwager*; Ags. - *tacor*,¹ *sacor*.

HUSBAND'S BROTHER'S WIFE

- A: Let. - *ietere*,¹ *jantere*;² Bl. - *eturva, iturva, jetorva*;² Serb. - *jetrva*.¹
 B: Skt. - *yatr, ja*; Pkt. - *jithhani, jau, derani*; H. - *jethani, dewrani*; N. - *jethani, deurani*; Bi. - *gotni, jethani, deurani*; A. - *ja*; B. - *badja, chotoja*; U. - *deraja, chotoja*; M. - *jau*; G. - *jethani, derani*; S. - *derani*; R. - *jethani, dorani*; Pa. - *jethani, derani*.

- C: O.Gr. – *enater, einater*.
 D: L. – *janitrice*; P. – *concunhada*; Sp. – *concunada*.
 E: Ir. – *ban drihar mo-cheli*.
 F: Sw. – *svagerska*; G. – *schwagers frau*.

HUSBAND'S SISTER

- A: Lith. – *mosza*; O.Sl. – *zuluva*,¹ *zluva*;² Bl. – *zolovka, sestritza, zulva*; Cz. – *zelva*;¹ Po. – *zolovka*; R. – *zolovka*; Ser. – *zaova*;¹ Slv. – *swatine, swagrina*.
 B: Skt. – *nanandr, nandini, nanda, vasa*; Pkt. – *nananda*; H. – *nanad, nand*; N. – *nanda*; Bi. – *nanada, nanadi*; A. – *sahu, nandek, nandi*; B. – *nanad*; U. – *nanoda, nananda*; M. – *nanada, vahini*; G. – *nanada*; S. – *ninan, adi*; R. – *nanad, nand*; Pa. – *ninan, nanan, nand*.
 C: O.Gr. – *galos*.¹
 D: L. – *glos*,¹ *gloris*;¹ Fr. – *belle soeur*; P. – *cunhada*; Sp. – *cunada politica*.
 E: Ir. – *driffur mo cheli*; W. – *chuwaer ynnghy fraith*.
 F: D.N. – *svigerinde*; Sw. – *svagerska*; G. – *schwagerin*.

HUSBAND'S SISTER'S HUSBAND

- B: Skt. – *nananduhpati, nanandrpati*; H. – *nanadoi, nandoi*; N. – *nandebhai*; Bi. – *nanadoi, nandoi*; A. – *nandek jovai*; B. – *nanadai*; U. – *nanodei*; M. – *nanadaya, nanadava*; G. – *nanadoi*; R. – *nanadoi, nandoi*; Pa. – *nandoya, ninanvia*.

WIFE'S BROTHER

- A: Let. – *swainis*;¹ Lith. – *laigonas*;¹ Bl. – *shura*; Po. – *szwagier*; R. – *svojak, shujak, shurin*; Ser. – *sura*;¹ Slv. – *swat*.
 B: Skt. – *syala, syalaka*; Pkt. – *siala, sala*; H. – *sala, sar*; N. – *jethan, salo*; Bi. – *sar, sala*; A. – *jetheri, sala, khurkhali*; B. – *saindho, sala*; U. – *sra*; M. – *sala, mehuna, bhaoji, bhato*; G. – *sala*; S. – *salo*; R. – *sala, hala*; Pa. – *sala, sara*.
 C: O.Gr. – *kedestes*.
 D: L. – *uxoris frater*; Fr. – *beau frere*; P. – *cunhado*; Sp. – *cunado*.

- E: Ir. – *drihair mo cheli*; W. – *brawd ynnghy fraith*.
 F: D.N. – *svoger*; Sw. – *svager*; G. – *schwager*; Ags. – *sacor*.

WIFE'S BROTHER'S WIFE

- B: H. – *sarhaj, salhaj, sarej, sali*; Bi. – *sarhaj*; B. – *salaj, ja*; U. – *srabou*; M. – *sali*; G. – *sali, sareli, salayeli, salaheli, salotri*; R. – *salaheli*; Pa. – *salehar, salehass, bhabi*.

WIFE'S SISTER

- A: Lith. – *swaine*; Po. – *szwagrova*; R. – *svojatchina*; Slv. – *swatine*.
 B: Skt. – *syali*; Pkt. – *sali*; H. – *sali, sari*; N. – *jethi-sasu, sali*; Bi. – *jethsar, sali*; A. – *je sahu, khurkhali*; B. – *sali*; U. – *sali*; M. – *mehuni, sali*; S. – *sali*; R. – *sali, hali*; Pa. – *sali, sari*.
 C: O.Gr. – *kedestria*.
 D: L. – *uxoris soror*; Fr. – *belle soeur*; P. – *cunhada*; Sp. – *cunada*.
 E: Ir. – *driffur mo cheli*; W. – *chwaer ynnghy fraith*.
 F: D.N. – *svigerinde*; Sw. – *svagerska*; G. – *schwagerin*.

WIFE'S SISTER'S HUSBAND

- A: Let. – *znuots*; ¹ Lith. – *dieveris* (?); ¹ O.Sl. – *zeti*, ¹ *suri*, ⁴⁶ *surinu*. ⁴⁶
 B: Skt. – *syaliavodhr* (?); H. – *sarhu*; N. – *sadhu*; Bi. – *sarhu*; A. – *salpati, khulkhali jovai*; B. – *bhayrabhai*; U. – *sali joi*; M. – *sadu, satbhau*; G. – *sadhu*; S. – *sandhu*; R. – *sadu*; Pa. – *sadhu, sandu*.
 C: O.Gr. – *aelioi*, ¹ *ailios*, ¹ *eiliones*, ¹ *aelivi* (husbands of two sisters).
 D: P. – *concunhado*; Sp. – *concunado*.
 E: Ir. – *far driffur mocheli*.
 F: O.N. – *svili* (pl. *svilar*) (?).²

BROTHER'S WIFE

- A: Let. – *marscha*; ¹ Lith. – *inte*; ² Bl. – *snuha*; Po. – *bratowa*; R. – *nevestka*; Slv. – *swatine*.

- B: Skt. – *bhratrjaya, prajavati*; Pkt. – *bhaujaya*; H. – *bhawaj, bhojai, bhaujai, bhabhi*; N. – *bhauju, bhai buwari*; Bi. – *bhaujai, bhauji, bhabhi, bhabahu*; A. – *bau, nabau, bowari*; B. – *bhauj, bhaij, baididi*; U. – *bhaujja, bhaibo*; M. – *bhavajai, bhavaj, vahini, bhabhi*; G. – *bhabhi, bhojai*; S. – *bhajai, bhabhi*; R. – *bhojai, bhabhi*; Pa. – *bharjai, bhabhi*.
- D: L. – *fratria*; Fr. – *belle-soeur*; P. – *cunhada*; Sp. – *cunada*.
- E: Ir. – *ban mo yrihar*; W. – *chwaer ynngly fraith*.
- F: D.N. – *svijerinde, broders kone*; Sw. – *svajerska*; M.H. G. – *geswie*; ¹ G. – *schwagerin*.

SISTER'S HUSBAND

- A: Let. – *znuots*; ¹ O.Sl. – *zeti*, ¹ *zuri*, ¹ *surini*; ¹ Bl. – *zet*; Po. – *szwagior*; R. – *dever*; Slv. – *swat*.
- B: Skt. – *bhaginipati, bhavuka, avutta, bhama*; Pkt. – *avutta bhainivai*; H. – *bahanoi, bhinoi*; N. – *bhinaju, baine juvai*; Bi. – *bahanoi, jija*; A. – *bhinihi, bhainai*; B. – *bhagnipati, bonai*; U. – *bhinei, bhinoi*; M. – *bhavoji, bhauji, mehuna*; G. – *banevi*; S. – *bhenivio*; R. – *bainoi, benoi, jija*; Pa. – *bhanvia, bahanoi, bhanoi*.
- D: L. – *maritus sororis*; Fr. – *beau frere*; I. – *cognati*; P. – *cunhado*; Sp. – *hermano politico*.
- E: Ir. – *far mo yriffur*; W. – *brawd ynngly fraith*.
- F: O.N. – *svilar*; ¹ D.N. – *svoger*; Sw. – *svager*; O.H.G. – *zeihhur* (?), ¹ *geswio*; ¹ G. – *schwager*; Ags. – *athum, tacor* (?). ¹

FATHER'S BROTHER'S WIFE

- A: Lith. – *dedene, teta*; ¹ O.Sl. – *ujka*, ¹ *tetuka*; ¹ Bl. – *strinka, streena, china*; Cz. – *teta*; ¹ Po. – *stryjenka*; R. – *tjotka, lelja*; ¹ Slv. – *stryna*.
- B: Skt. – *pitruyapatni, pitruyastri*; Pkt. – *cullamauya*; H. – *pitiyani, tai, caci, kaki*; N. – *jethi ama*; Bi. – *pitiani, kaki, caci*; A. – *barai, khuri*; B. – *jyethima, khulima*; U. – *khuri*; M. – *culati, kaki*; G. – *adi, kaki*; S. – *kaki, caci, ama, bhabhi, masi*; R. – *kaki, ya*; Pa. – *tai, caci*; P. – *zariamoo*.
- C: O.Gr. – *patroos gune, thiou gune, theia*, ¹ *tethis*, ¹ *nana*. ¹

- D: L. - *patrui uxor*; Fr. - *tante*; I. - *tia*; P. - *tia por afinidade*; Sp. - *tia politica*.
 E: Ir. - *ban drihar mahar*; W. - *modrib*.
 F: D.N. - *far broders hustrue*; Sw. - *far broders hustru*; G. - *muhme, tante*.

FATHER'S SISTER'S HUSBAND

- A: O.Pr. - *awis*;¹ Lith. - *teterus, dede*,¹ *dedis*;¹ O.Sl. - *uju*;¹ Bl. - *leylin, lelin*; Po. - *stryj*; R. - *djadja*; Slv. - *strye*.
 B: H. - *phupha, phuphaji*; N. - *phuphaju*; Bi. - *phupha, pisa*; A. - *jethpa, peha*; B. - *pise, pise masai*; U. - *pisa*; M. - *mama, mavala, phua*; G. - *phuva, phuyaji*; S. - *puppara, puphar*; R. - *bhurha, phupha*; Pa. - *phupphara, phupha, buvai*.
 C: O.Gr. - *theios*,¹ *mannos*,¹ *nennos*.²
 D: L. - *amitae vir*; Fr. - *oncle*; I. - *aquistata tio*; P. - *tio, tio por afinidade*; Sp. - *tio politico*.
 E: Ir. - *far driffur mahar*; W. - *ewyrth, ewythr*.¹
 F: D.N. - *fasters husbond*; Sw. - *fasters man*; G. - *oheim, onkel*.

MOTHER'S BROTHER'S WIFE

- A: Lith. - *awynene, teta*;¹ O.Sl. - *ujka*,¹ *tetuka*;¹ Bl. - *vuyna, ooina*; Cz. - *teta*;¹ Po. - *wujenka*; R. - *tjotka, lelja*;¹ Slv. - *tetka*.
 B: Skt. - *matuli, matulani*; Prt. - *mami*; H. - *mami*; Bi. - *mami, mamani*; A. - *mai, mami*; B. - *mami, mamima*; U. - *mai*; M. - *mami, mavalan*; G. - *mami*; S. - *mami*; R. - *mami*; Pa. - *mami*.
 C: O.Gr. - *metradelphon gune, theia*,¹ *tethis*,¹ *nanna*,¹ *nenna*,¹ *ninna*.
 D: L. - *avunculi uxor*; Fr. - *tante*; I. - *aquistella tia*; P. - *tia*; Sp. - *tia politica*.
 E: Ir. - *ban drihar movahar*; W. - *modryb*.
 F: D.N. - *morbroders hustrue*; Sw. - *morborns hustru*; G. - *muhme, tante*.

MOTHER'S SISTER'S HUSBAND

- A: O.Pr. - *awis*;¹ Lith. - *dede*,¹ *dedis*;¹ O.Sl. - *uju*;¹ Bl. - *tetin*; Po. - *wuj*; R. - *djadja*; Slv. - *ujec*.

- B: Pkt. – *maducchao*; H. – *mausa*; N. – *kaka*; Bi. – *mausa*; A. – *jethpa, maha*; B. – *mesomasai*; U. – *mausa*; M. – *mavasa*; G. – *maso*; S. – *masar, mausa*; R. – *masa, masra, maha*; Pa. – *masar*.
- C: O.Gr. – *metradelphe aner, theios*,¹ *nannos*,¹ *nennos*.¹
- D: L. – *materterae vir*; Fr. – *oncle*; I. – *acquistata tio*; P. – *tio, tio por afinidade*; Sp. – *tio politico*.
- E: Ir. – *far driffur movahar*; W. – *ewyrth, ewythr*.¹
- F: D.N. – *mosters husbond*; Sw. – *mosters man*; G. – *oheim, onkel*.

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5. *E.B.*, XIII, p. 971; see Walde-Pokorny, i, p. 830, where its cognate nature with Latin *filius* is referred to.
6. Wyld's *Universal English Dictionary*, s.v. 'Son'.
7. Bartholomae, *Zum Altiranischen Worterbuch*.
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10. Arensberg and Kimball, p. 82.
11. Sir Edward Anwyl in *ERE*, vol. v, p. 730a.
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13. Walde-Pokorny, i, p. 55.
14. For this and the three next Anglo-Saxon terms see *Anglo-Saxon Dictionary* by J. Bosworth and T. N. Toller.
15. Louis H. Gray in *ERE*, vol. v, p. 745a; Bartholomae.
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17. Joyce, vol. ii, p. 19.
18. Arensberg and Kimball, p. 83.
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20. Bosworth and Toller, loc. cit.
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26. Wyld's *Universal English Dictionary*, s.v. 'Nun'.
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28. Louis H. Gray in *ERE*, vol. v, p. 745a.
29. Phillpotts, p. 56; Seebohm (1), p. 249. The term occurs in the Norwegian Gulathing law, the extant form of which dates from about A.D. 1200.
30. Schutte, vol. I, p. 191.
31. Bosworth and Toller.
32. Phillpotts, p. 56, *fn.* 3; p. 62, *fn.* 2.
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